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# The Department of State

# bulletin

Vol. XXXI, No. 804

November 22, 1954



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# *The Department of State* bulletin

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## The New Environment of American Diplomacy

*by Livingston T. Merchant*

*Assistant Secretary for European Affairs<sup>1</sup>*

Tonight, at the risk of violating one of the established principles of polite social procedure, I'm going to talk shop. I plan to talk about my job and the jobs of other American diplomats. In particular, I want to discuss the new physical and conceptual environment in which modern diplomacy must operate.

The job of the American diplomat has changed tremendously during the last generation. Thirty years ago, I think it is fair to say that the average citizen of this country gave relatively little attention to foreign affairs. Foreign policy was an interesting subject for friendly speculation and argument, but most of us did not feel that it intimately affected our personal lives. We did not regard it as nearly so important, for example, as the outcome of a World Series game.

Today this attitude is greatly altered. Our attitudes have changed because the world has changed. A steadily increasing number of people have come to realize that our Nation's foreign policy is a matter of the most vital importance—that the lives of millions of men and women who inhabit this Nation may ultimately depend upon the effective conduct of American diplomacy. For this reason it may be interesting for us to consider some of the principal ways in which the environment of American diplomacy has changed during the past 30 years.

In the first place, I think we can all agree that the stakes of diplomacy are now immensely greater than at any time in the past. Representing the United States abroad has never been an easy or casual task. Nevertheless, in the early years of this century, the United States did not

face an immediate threat to its very existence, as it does today. We were protected by vast oceans, by a long-established balance-of-power system in other parts of the world, and by the physical incapacity of enemy forces to launch a successful invasion of this continent.

The changes that have since taken place can be attributed only in part to political events. The greatly magnified danger to this country results primarily from changes in our physical surroundings. We should remember that the inventors of the airplane and the pioneers in the field of nuclear fission have had a great impact upon our foreign policies. The world has grown smaller; the methods of warfare have grown more destructive; and the United States has inevitably become more vulnerable.

Just as the products of scientific genius have increased our vulnerability, so has our capacity for survival been menaced by international political and economic developments. During the last 20 years we have witnessed the rise of two great empires strong enough to endanger the security of the United States. The Nazi empire was crushed after the most painful and costly war in human history. But the Communist empire rapidly seized many of the territories and peoples held by the Nazis and has continued a relentless program of expansion in all directions.

### **Nature of Red Threat**

Today this Communist empire is the most formidable aggressive dictatorship the world has ever known. It is waging a merciless "cold war" against all free societies, with the purpose of gradually pyramiding its own capacity for attack and weakening the free world's capacity for resist-

<sup>1</sup> Address made before the United Council on World Affairs at Boston, Mass., on Oct. 28 (press release 613).



ance. The Communist objective is to gain unchallenged superiority in all the elements of political, military, and economic power—in population, territory, natural resources, scientific and technical facilities, industrial production, military forces, and the like. For the first time in our national history we are confronted by the possibility that a potential enemy may be able to attain this kind of superiority.

At the present time, of course, the free world as a whole is distinctly superior to the Communist bloc in nearly all the elements of power essential to survival. This means that the Soviet Union is incapable, at this time, of winning an all-out war against the United States and its allies. But it would be suicidal shortsightedness for us to judge the Communist menace solely in terms of the immediate military threat to ourselves. We are menaced equally by the unceasing cold war against other parts of the world. If the Communist bloc should be permitted to capture new territories, to enslave additional millions of people, and to seize new farms, factories, mines, and laboratories, it would eventually be able to outstrip the United States in virtually every form of power, and might leave us no alternatives but surrender or total destruction. Even our substantial lead in nuclear weapons would almost certainly melt away if the Communist bloc should gain overall scientific and industrial superiority. Thus, we face a danger which is at once short-term and long-term. Our prospects for peace and survival will depend upon our ability to deal with both aspects of this danger.

And as our industrial expansion proceeds, we are becoming increasingly dependent on other parts of the world for raw materials. Today there are already a large number of vital commodities which we must import from abroad. With the passage of time, it will become virtually impossible for us to maintain our peacetime living standards, or to win any war that might be forced upon us, without access to foreign sources of raw materials.

When we add these things together—when we consider the growth of Communist power, our increasing dependence upon foreign imports, and our vastly more dangerous physical position in the world—we can see that the very life of this Nation depends, as never before in history, upon active cooperation with other free nations. A primary objective of our foreign policy is to keep other free lands out of Communist hands and to keep

these nations working with us toward our mutual objectives of peace, security, and human progress. We need strong and dependable allies, and the maintenance of friendly and cooperative relations with these allies is one of the principal tasks of modern American diplomacy.

Next, we should note that as the stakes of diplomacy have increased, the alternatives to the art of diplomacy have become vastly more terrible. In past centuries certain governments have often been willing to resort to war when they failed to achieve their objectives through diplomatic devices. Throughout most of human history these wars were fought by professional armies, with little direct effect upon the great masses of the population. By the end of World War I, however, warfare had already become so horrible that many earnest men sought to abolish war as an instrument of national policy. But the terrors of the First World War, and even the Second World War, pale into insignificance when compared with the possible consequences of war in the atomic age. Modern war may bring death to millions of men, women, and children and may mean the destruction of victor and vanquished alike. Under these circumstances it is clear that diplomacy is not only our first line of defense. It may prove to be the only line of defense that really matters.

#### **Our New Responsibilities**

A third major change in the environment of American diplomacy has been the rapid movement of the United States from a position of relative isolation to a position of prominence and responsibility in world affairs. It is sometimes difficult for us Americans to appreciate fully the significance of our new status. Recently a European diplomat was going over a collection of state papers relating to European policies in the period just prior to World War I. He had before him Blue Books, White Papers, Yellow Books, diplomatic notes, and despatches—all the important papers of the period. In all these state documents he found not one single reference to the United States as an international political factor of importance. And that was only 40 years ago.

Today I doubt that one could find many official state papers anywhere which do not at least mention the United States. There are few developments in the world today which our Government



can afford to regard with disinterest, and there are few international issues on which the views of the United States are not eagerly awaited.

This assumption of world responsibilities by the United States has not been entirely a matter of choice or design. It has been an inevitable consequence of the environmental circumstances already mentioned. We have assumed new commitments abroad and have entered into new relationships simply because the protection of our national safety and welfare required such steps. Nevertheless, all these developments have profoundly affected the work of the American diplomatic officer. As the agent of a government whose voice is often decisive, he must combine extraordinary insight and initiative with an equal measure of caution and restraint.

The change in America's international position is sometimes described as the "rise of the United States to world leadership." I feel that the word "leadership" is not the best description of our role. It is true that the United States must take the lead on many occasions and must exercise a constant initiative. At the same time, I believe that President Eisenhower gave us a clearer and truer picture of our international position when he recently stressed the word "partnership" rather than "leadership." Our relationships with our friends and allies abroad do not permit us to demand or to dictate but rather to suggest and persuade. We have no satellites, and we want no satellites. The unity of the free world can be maintained only on the basis of partnership. Secretary Dulles has repeatedly emphasized that.

I'm afraid that some Americans expect the United States Government to dominate all its relations with allied governments and are somewhat critical when our allies disagree with us. This attitude is rather unrealistic. When a man enters a business partnership he knows that he cannot thereafter run the business as if it were entirely his own. And when a nation enters an international partnership, it must recognize that it has to take account of the views and interests, and even the prejudices, of its allies. Our job in the Department of State is to protect and promote American interests, and we never forget that fact. But neither do we want to forget what our basic interests really are. We would be very foolish if we allowed ourselves to pursue our secondary interests so intensely that we sacrifice the all-important interest of maintaining the part-

nership itself. Diplomacy is essentially the art of adjusting and accommodating interests, and no partnership can survive without this process of give and take.

A successful partnership involves obligations and burdens, and we need to face this fact frankly. On the other hand, I feel sometimes that we Americans think too much about the obligations and burdens of our international alliances and think too little about the advantages and rewards we receive. We sometimes forget that the people of the United States are protected today not only by approximately 20 divisions in our own American Army but also by roughly 175 divisions in the armies of allied nations. We sometimes forget that it is not American industrial power alone that prevents the Communists from achieving unchallenged mastery of the earth but also the great industrial power of Britain, France, Germany, Italy, Japan, and other free nations. We forget that the effectiveness of our Air Force would be greatly diminished without the bases and facilities contributed by our allies. In order to understand the true significance of our international partnership, we must constantly remember that each partner receives more from the relationship than it contributes.

### **An Expanding Diplomacy**

Another significant development which has affected the practice of diplomacy is the great expansion of the scope of diplomacy—the sizable extension of the subject matter with which the diplomat must be concerned. The growing complexity of modern civilization and the decreasing self-sufficiency of individual nations have combined to create international problems in fields of activity heretofore unknown. Similarly, the multiple devices and pressures through which the Communist bloc seeks to penetrate the free world have produced the necessity of varied kinds of cooperation in resistance to this penetration. As a result, for example, it is increasingly difficult to draw a sharp distinction between national and international problems or to separate domestic policies from foreign policies. Our own trade and tariff policies were once regarded as a purely domestic concern; now they have far-reaching international implications. A local election in a particular country may be of merely internal in-

terest, but it may also be, on occasion, a decisive battle between the forces of freedom and the forces of slavery.

This development has had important consequences for the job of the individual diplomat. During recent years, there has been a considerable growth of professional specialization in the Department of State and the Foreign Service. We need people who can deal with complex economic problems, financial problems, scientific problems, legal problems, informational problems, geographic problems, politico-military problems, and a variety of other specialties. At the same time, the need for generalists—for men and women who can deal with a wide range of problems—seems greater than ever before. As an organization, the Department of State must be able to combine a broad global perspective with the ability to deal competently with the most finite technical details, and this means that the business of diplomacy is getting bigger and tougher in almost every way.

While I don't want to bore you with statistics, I would like to illustrate the complexity of present diplomatic operations by means of a few facts and figures. The European Bureau of the State Department, which I have the honor to head, deals with all the countries of continental Europe, on both sides of the Iron Curtain, as well as the United Kingdom, Canada, Australia, New Zealand, South Africa, and various smaller European dependencies, such as Bermuda and British Guiana. We have 277 employees in Washington and are responsible for the work of 27 diplomatic missions and 82 consulates in foreign countries, containing about 2,600 American employees and 5,000 local employees. All the expenses of the Bureau and its overseas posts, including salaries, supplies, communications, travel, etc., total about \$40 million annually.

In an average week, our Bureau in Washington receives 770 cables and 560 despatches from foreign posts. Some of these are purely information; others require decisions and actions by the Department or other agencies of the United States Government. In an average week we send out approximately 200 cables and 160 instructional messages in other forms. This does not include, of course, hundreds of memoranda of official conversations, letters from American citizens, Congressional requests, and so forth. All told, we are required to deal with about 18,000 separate documents each week, many of which involve pains-

taking research and analysis and some of which require decisions that can finally be made only by the President of the United States.

### **Growth of Multilateral Diplomacy**

Still another significant change in the diplomatic scene has been the growth of multilateral diplomacy. This is a relatively recent development. Since the end of World War II many international questions have ceased to be considered primarily on a nation-to-nation basis and have become the subject matter of discussions among large groups of nations. This increased emphasis on multilateral diplomacy has resulted primarily from the development of such organizations as the United Nations, NATO, OAS, and other regional arrangements. It has produced a necessity for a new kind of representational and negotiating relationship, which is exemplified by the international conference.

Even better examples are provided by the large number of international bodies which meet in continuous session and reach day-to-day decisions on a variety of matters in which we and our allies have common interests. NATO alone has more than 20 standing committees on which the United States is represented, and these representatives regularly present questions of fact or policy to the Department of State for decision or advice. A scholar writing a modern textbook on the arts of diplomacy would need a special volume on the practice of multilateral diplomacy.

I should make it clear that multilateral diplomacy has not become a substitute for bilateral diplomacy. It does not lessen the need for effective relationships with individual countries. In some respects it intensifies this need. In order for our representatives to work effectively in international organizations, they must be able to depend upon sound relationships established with each individual government through our regular country missions. In any event, multilateral diplomacy has superimposed additional demands upon our diplomatic establishment. The multilateral conference table offers unique opportunities for international understanding and for prompt and effective action on certain critical issues, but it has inevitably complicated the work of the professional diplomat.

A final noteworthy change in the diplomatic



climate has resulted from the spread of democratic concepts of government. For many years we have been shifting from what may be termed "dynastic" diplomacy toward a kind of "popular" diplomacy. Diplomacy is becoming less concerned with relationships among governments and more concerned with relationships among peoples. Fundamentally, our most valuable and dependable alliances are rooted in this people-to-people relationship. Our long-range hopes for the maintenance of successful working relationships with all free nations, as well as our hopes for the eventual modification of the policies and structures of the Communist system, will depend less upon the influence we can exert on rulers than upon the understanding we can achieve among whole populations.

In practical terms, people-to-people relationships sometimes make the work of the professional diplomat extremely difficult. He must now think in terms of the entire complex of political, economic, social, and cultural forces which determine the purposes and practices of nations and regions. He must recognize that the center of decision is no longer the cloistered chamber but the public forum and that whispered conversations between high officials usually exert less influence upon a nation's policies than the open and widespread pronouncements of the press and radio. He must be prepared at all times to have his decisions and actions tested in the crucible of public controversy and to see his most confidential undertakings analyzed and dissected in the morning newspaper headlines.

#### **"Popular Diplomacy"**

It must be confessed that some of my professional colleagues are not always happy about certain features of this so-called "popular diplomacy." There are times, I think, when every officer who has been engaged in delicate international negotiations feels that his chances of a successful result would be greatly enhanced if all newspapers and radios would temporarily vanish from the face of the earth. But the spotlight of publicity has become a fact of life and an inseparable part of modern diplomacy.

There are a few oldtimers in the diplomatic world who find it hard to adjust themselves to the glare of constant publicity. This reminds me of

a story which is fairly well known among Washington bureaucrats. Some years ago, I am told, a citizen wrote a letter to the Department of Agriculture complaining about an excessive outcropping of dandelions on his front lawn and asking how they might be removed. The Department of Agriculture sent him a pamphlet on the subject. Some weeks later he wrote another letter, explaining that the measures suggested in the pamphlet had proved unsuccessful, that the dandelions were still there in large numbers, and that he would like further advice. This time he received a personal letter, setting forth in great detail everything known to modern science about the mysterious techniques of getting rid of dandelions.

After a few months our lawn owner again reported failure. None of the methods suggested had proved effective, and he pleaded for additional help. "I love my lawn," he said, "and I want your advice as to what I should do now." The Department of Agriculture's final letter was simple and to the point. It read: "Dear Sir: We suggest that you learn to love the dandelions, too."

That's what we diplomats will have to do about the newspapers and the radio. They are here to stay, and I think we are learning to love them. We can also take considerable comfort from the knowledge that publicity is often helpful to the processes of diplomacy.

#### **New Burdens on Government**

The revolutionary changes I have described in the climate, the character, and the techniques of diplomacy have created new burdens at various levels of government. The President of the United States is required to devote a great deal more of his personal time and energy to foreign affairs than in the earlier years of our history. Members of the Congress have had to become expert in many different aspects of our foreign relations. Naturally, the burden upon the Department of State and the Foreign Service has been equally great. The professional diplomat has not only been required to undergo considerable personal adjustment but has also been required to evolve new concepts and techniques through which the interests of the United States can be served in this dangerous and ever-changing age.

On the whole, I believe that the new climate of diplomacy has certain distinct advantages. For



example, greater popular participation in the conduct of foreign relations is preferable to the system which prevailed in past centuries, when the destinies of nations might sometimes be decided by secret bargains reached by self-seeking negotiators. On the other hand, I should like to emphasize the fact that no nation's diplomatic affairs can be successfully conducted, even today, in a goldfish bowl. There is still a definite need for confidential consultations among governmental representatives and for agreements that do not have to be hammered out in the electric atmosphere of public debate. Moreover, the need for the "personal touch" on the part of the professional diplomat—the need for applying the old-fashioned qualities of tact, patience, imagination, understanding, and determination—has not diminished with the passage of time. In fact, because of the critical nature of diplomatic decisions today, the need for personal diplomatic skill is greater than ever before.

#### **The Diplomatic Corps**

This brings me to another subject about which I would like to say a few words—the job of the individual diplomat. Since I myself am a practitioner of this hazardous occupation, you are privileged to take what I say with the proverbial grain of salt. However, I sincerely believe it is a subject that requires more attention and thought than has been given in the past.

It is no secret that our diplomatic officers have been subjected to severe criticism in recent years. This criticism has been varied both in origin and object; it has not been confined to any particular group or philosophy. Some of it is just. Much of it is well-intentioned and without malice. At the same time, I think it is not an exaggeration to say that a great deal of this criticism has been grossly unfair. The overwhelming majority of our diplomatic officers, both in the United States and abroad, are loyal, hard working, and intelligent public servants whose labors too often pass unnoticed.

Very few of those who have joined the American diplomatic corps ever expected glamour or glory as a reward. It is proper that the returning military hero who has won a great battle should receive a welcoming parade. But the diplomat who has perhaps avoided a war—or who has achieved a vital national objective without war—

gets no such acclaim. This, too, is as it must be. Diplomatic successes do not lend themselves to elaborate publicity. In fact, the very phrase "diplomatic victory" is something of a contradiction in terms, since a successful diplomatic effort usually involves an accommodation of interests with other countries and its fruits may be dissipated by the claim that one country or another has achieved a "victory." The most effective diplomacy is often ignored by the headline writers.

Most of my colleagues are quite satisfied to dispense with glory. They accept the fact that the business of diplomacy, like most other businesses, is more than 90 percent hard work—and often very dull work. On the other hand, the average diplomatic officer feels that it is not too much to ask that he be given a modicum of understanding and respect. He doesn't ask that people shower him with ticker tape, if they will only stop pelting him with rotten eggs.

The fundamental sources of this criticism, I believe, are not hard to find. Through no choice of our own, we Americans have been compelled to live in an age of extreme peril. The safety and self-sufficiency that we once took for granted have faded away. We are repeatedly confronted by difficult and painful decisions, which affect our own destiny and that of the whole civilized world. The vast complex of international problems, which seemed so comfortably remote a few years ago, has thrust itself rudely into our daily lives. Under these circumstances it is probably inevitable that the American diplomatic officer should be regarded as an unpleasant reminder of our transition from an era of relative security to an era of danger and insecurity. He is a tangible symbol of an outside world which has become both demanding and menacing.

To put it another way, the diplomatic officer has the unenviable job of telling the American people unpleasant truths and confronting them with painful decisions. This is not the best way to win a popularity contest. From ancient history, we learn that certain kings and sultans made a practice of putting messengers to death when these messengers bore ill tidings. The result, as you would expect, was that these monarchs gradually came to receive only good news, whatever the actual course of events. They thereby lost contact with the true situation in their empires and were eventually destroyed. This country is far

too wise to repeat such a tragic mistake. It is not important that the diplomat be popular, but it is vitally important that he receive the confidence and respect that his labors warrant.

I do not want to imply that the American diplomatic service is above criticism. Secretary Dulles and his staff have recognized the need for constant improvement in the quality of the service and are laboring steadily toward this objective. Significant progress has already been made. In fact, I believe it is remarkable to note the extent to which the American diplomat has adapted himself to the new environment of diplomacy and has risen boldly to accept the unprecedented challenge of the times.

No matter how effective our professional diplomats may become, there will always be room for public criticism, both of policies and techniques. To paraphrase Clemenceau's famous statement on war: "Diplomacy has become much too important to be left solely to diplomats." It is now a matter of life and death to our entire population. But as the general public plays an increasing role in the development and execution of foreign policies, it becomes all the more important that the public understand clearly the intricate problems involved.

The final measure of American diplomacy will be its results. During recent months American diplomats have made important contributions to our national security and to the peace and stability of the whole world. The end of the war in Korea, the accord between the United Kingdom and Egypt, the settlement of the oil controversy in Iran, the Trieste agreement, the Manila security pact and the Pacific Charter, and the more recent agreements in London and Paris on an associated Western European defense system—all these far-reaching developments offer renewed hope for a better and safer universe. And American diplomats take pride in the part we have played—sometimes a key part—in these achievements. We are also proud of the tribute paid the diplomatic corps 2 weeks ago in Washington by President Eisenhower when he stood before us and spoke these words:

If there is any organization that should have the highest morale based firmly in its own convictions as to the importance of its work, the necessity for successful accomplishment regardless of what critic or opponent may say, a morale based in that high belief in a cause, then that should be the Foreign Service and the State Department—as, indeed, I believe it is.

November 22, 1954

## U. S. and Japan Discuss Mutual Interests

### STATEMENT BY THE PRESIDENT AND THE PRIME MINISTER

White House press release dated November 10

President Eisenhower and Prime Minister Yoshida met on November 9 and reaffirmed the spirit of friendly cooperation characterizing the relations between the United States and Japan.<sup>1</sup> The Prime Minister also met with Secretary of State Dulles, Secretary of Treasury Humphrey, Secretary of Defense Wilson, and Director Stassen of the Foreign Operations Administration. The Prime Minister and Secretary Dulles at their meetings this week, after a full and frank exchange of views on matters of mutual interest, reviewed the conversations held during the past 3 weeks by representatives of the two governments.

#### I

The President and the Prime Minister agreed that the solidarity and determination of the free nations had greatly advanced the cause of world peace. They declared that their governments would, in cooperation with the free nations of Asia, continue their united efforts to maintain and promote the peace and prosperity of Asia. The Prime Minister reaffirmed his Government's determination to make a full contribution to those efforts and in particular stressed Japan's desire to cooperate, wherever possible, in the development of economic strength by the free nations of Asia.

The President and the Prime Minister declared that the goals of their governments are peaceful and that their peoples desire peace and liberty for themselves and their neighbors.

#### II

Representatives of both governments discussed Japan's economic situation in detail. It was agreed that the economic well-being of the Japanese people is a matter of importance to the entire free world. The achievement of improved economic conditions in Japan depends partly upon the ability of the Japanese people themselves to pursue sound and constructive internal monetary and other economic policies and partly upon

<sup>1</sup> For an announcement of the visit of Prime Minister Shigeru Yoshida, see BULLETIN of Nov. 8, p. 679.



Japan's ability to expand its trade with other countries. By various means since the end of the war the United States has been able to contribute substantially to the economic progress which Japan has achieved. The United States is aware of the efforts which Japan is making to solve its difficult economic problems and will continue to examine sympathetically means whereby it can assist the Japanese people to advance their well-being.

A number of specific measures were discussed in the recent talks. General agreement was reached that the United States would cooperate with Japan in its efforts to expand its foreign trade and achieve a better balance in its foreign economic relations. It was further agreed that the United States would sell to Japan agricultural commodities and that a substantial portion of the proceeds of these sales will be used for Japan's domestic economic improvement and defense support and for regional economic development. Other steps were discussed, such as the establishment of a productivity program in Japan and the mutual benefits which might arise from Japan's participation with the other free nations of South and Southeast Asia in the economic development of that area. Both sides agreed that these measures would be of marked benefit to Japan by improving its economic position and facilitating its efforts to attain a higher standard of living.

### III

United States representatives expressed regret over the incident on March 1 in which 23 Japanese fishermen were injured—one fatally—by the fall-out of radioactive materials following a nuclear test in the Pacific. They emphasized their belief that peaceful uses of atomic energy would be steadily developed and would eventually become of great value to Japan and other friendly nations throughout the world.

### IV

There was also discussion of the disposition of Japanese assets vested by the United States, and representatives of the United States stated that this matter is under consideration. Among other subjects reviewed were Communist efforts to weaken and discredit the operations of free governments in Asia, the request of Japan for expedited consideration of the cases of war criminals, and the status of the Ryukyu and Bonin Islands

in the light of the present international situation as well as the desire of Japan for the return to the Bonin Islands of former inhabitants.

### AGREEMENT ON AGRICULTURAL PROGRAM

Press release 643 dated November 13

The representatives of the Governments of the United States and Japan today reached an understanding on a \$100 million surplus agricultural commodity program for Japan under the provisions of U.S. Public Law 480.

Of the total amount, commodities with a market value of \$85 million will be sold to Japan for local currency and commodities costing \$15 million will be delivered to Japan as an outright grant to be used in support of the school lunch and clothing program.

The major portion of the proceeds of these sales will be used for Japan's domestic economic improvement, including agricultural development, and for regional economic development. Seventy percent of the local currency accruing from the sale of the commodities under Title I will be used by the Japanese Government on a loan basis. The balance of the proceeds will be used for various U.S. purposes including the purchase of goods in Japan for other friendly countries, cultural exchange, agricultural market development, and expenditures of the U.S. forces in Japan, principally for the housing program under U.S. Public Law 765.

Negotiations on details of the arrangements will be continued both in Washington and Tokyo.

### Japan and the United Nations

*Statement by Henry Cabot Lodge, Jr.  
U.S. Representative to the United Nations*

U.S./U.N. press release 1996 dated October 27

The United States will of course support the renewed application of Japan for membership in the United Nations. Japan is the most populous single nonmember country in the world, and its eventual membership is a certainty. The United States Government believes it is essential to the success of the United Nations that Japan, and all other peace-loving states able and willing to live up to the charter, be admitted to membership as soon as possible.



## Trade Agreement Negotiations Involving Japan

Press release 640 dated November 12

### UNITED STATES INTENTION TO UNDERTAKE TRADE AGREEMENT NEGOTIATIONS

The Interdepartmental Committee on Trade Agreements today issued formal notice of the intention of the U.S. Government to participate, under the authority of the Trade Agreements Act of 1934 as amended and extended, in reciprocal tariff negotiations involving Japan. The President has given high priority to expansion of Japan's trading opportunities because of Japan's vital importance to free world mutual security.

Today's announcement, including the listing of products and the scheduling of hearings, formally opens U.S. preparations for participation in an international tariff-negotiating conference to be convened next February in Geneva, Switzerland, under the sponsorship of the countries associated in the General Agreement on Tariffs and Trade. The purpose of this conference will be tariff negotiations looking to Japan's full accession to the general agreement, thus enlarging her trade possibilities with other countries as well as with the United States.

To aid in the development of positions which the United States should adopt in the proposed tariff negotiations, and in accordance with established procedures, a list is also published today of the products on which the United States may consider offering concessions. Hearings are also scheduled and opportunity is provided for submission of briefs for the purpose of obtaining views and information from interested persons on all phases of these negotiations, including views for or against concessions which the United States might seek or offer on particular products.

Attached to the committee's notice of intention to negotiate is a list of products on which modifications may be considered during the negotiations. Listing of an item is for the purpose of gathering

information on the possibility of a concession; it does not necessarily mean that a concession will be offered on the product. No tariff concession can be made by the United States on any product not included in this or a subsequent published list.

As indicated in the announcement, the United States also proposes to take advantage of the occasion of these tariff negotiations to carry out four renegotiations arising out of various U.S. actions. In two cases, there was enacted legislation calling for modification of certain trade agreement obligations by an upward adjustment of import duties for commodities affected by exceptional developments. The laws in question are Public Law 689 on fish sticks and Public Law 479 on certain rubber-soled shoes. The third case relates to the escape-clause action taken by the United States in which it modified the concession on dried figs. No change is contemplated in the present tariff treatment of figs, but under the agreement the escape-clause action permits other countries to seek compensatory adjustments either by new concessions on our part or by withdrawal of concessions by affected countries. In a fourth case, when Uruguay became a party to the agreement last December, the United States did not find it possible to proclaim certain concessions that had been negotiated on meat products.

The majority of the listed articles are included for the purpose of giving consideration to concessions in negotiations directly between the United States and Japan. There are, however, many articles which are of primary interest to other countries. For these articles consideration will be given to possible concessions under circumstances where these other countries are also negotiating with Japan under the general agreement and where a concession by the United States would broaden the overall results of the multilateral negotiations through the triangular exchange of benefits.

In addition, because of the extensive and time-consuming nature of the procedures for getting information on possible concessions, there are a relatively few articles of interest primarily to countries which may decide to negotiate with Japan though they have not yet done so. As a general rule no concessions would be made on such products if the country having a primary interest does not complete its negotiations with Japan.

As required by law, the Committee for Reciprocity Information also gave notice that it will receive views of interested persons concerning any aspect of the proposed negotiations. The members of the Committee for Reciprocity Information and the Committee on Trade Agreements are the same. They include a member of the U.S. Tariff Commission and representatives designated by the Secretaries of State, the Treasury, Defense, Agriculture, Commerce, Labor, and Interior, and the Director of the Foreign Operations Administration.

Domestic producers, importers, and other interested persons are invited to present views and all possible information regarding products on the published list, including information relative to section 2 of the Trade Agreements Extension Act of 1954. This section provides that no action should be taken to decrease the duty on any article where the President finds that such reduction would threaten domestic production needed for projected national defense requirements. Consideration will be given to submissions concerning wages in the exporting country in accordance with the President's message of March 30.<sup>1</sup> All views and information will be carefully considered in arriving at a decision as to whether or not a concession should be offered by the United States on each product.

There is no limitation on the products on which the United States may request concessions, and domestic producers or exporters interested in developing markets in Japan are invited to present suggestions to the Committee for Reciprocity Information as to concessions which should be sought. The Department of Commerce also furnishes the Interdepartmental Committee on Trade Agreements with studies of the trade in and other facts regarding articles exported from the United States on which the United States might consider seeking concessions in the negotiations.

<sup>1</sup> BULLETIN of Apr. 19, 1954, p. 602.

Hearings before the Committee for Reciprocity Information will open on December 13, 1954. Applications for oral presentation of views and information should be presented to the committee not later than 12 noon, December 3. Persons desiring to be heard should also submit written briefs or statements to the Committee for Reciprocity Information by 12 noon, December 6, 1954. Only those persons will be heard who presented written briefs or statements and filed applications to be heard by the date indicated. Persons who do not desire to be heard may present written statements until noon, December 27, 1954. Details concerning the submission of briefs and applications to be heard are contained in the committee's notice attached to this release.

The United States Tariff Commission also announced today that it would open public hearings on December 13 to receive news and information useful in preparing its "peril-point" report to the President, as required by section 3 (a) of the Trade Agreements Extension Act of 1951, on the extent to which U.S. concessions on particular products may be made in the negotiations without causing or threatening serious injury to a domestic industry producing like or directly competitive products.

Views and information received by the Tariff Commission in its hearings referred to above will be made available to the Committee for Reciprocity Information for consideration by the Interdepartmental Committee on Trade Agreements. Persons whose interests relate only to import products included in the list published today and who have appeared before the Tariff Commission need not—but may if they wish—appear also before the Committee for Reciprocity Information.

However, persons wishing to present material on U.S. import concessions other than the material they have presented to the Tariff Commission should file written statements or briefs with the Committee for Reciprocity Information, or may, if they wish, request appearance before that committee. Persons wishing to suggest additional items on which U.S. import concessions may be considered, and which do not appear in a published list, should present their views to the Committee for Reciprocity Information.

Copies of the notice of the Tariff Commission may be obtained from the Commission.



## INTERDEPARTMENTAL COMMITTEE ON TRADE AGREEMENTS

- I. Trade-Agreement Negotiations under the General Agreement on Tariffs and Trade Relating to Japan;
- II. Possible Adjustment in Preferential Rates on Cuban Products.

Pursuant to Section 4 of the Trade Agreements Act, approved June 12, 1934, as amended (48 Stat. 945, ch. 474; 65 Stat. 73, ch. 141) and to paragraph 4 of Executive Order 10082 of October 5, 1949 (3 CFR, 1949 Supp., p. 126), notice is hereby given by the Interdepartmental Committee on Trade Agreements of intention to participate in trade-agreement negotiations, on a reciprocal basis, looking to Japan's accession to the General Agreement on Tariffs and Trade, as a means of improving Japan's trading prospects in the free world. With a view to the further expansion of such trading prospects, the United States is also considering, in addition to negotiations directly with Japan, participating in limited negotiations with other contracting parties to the General Agreement that will also be negotiating with Japan, in order to broaden the overall results of the negotiations.

There is annexed hereto a list<sup>1</sup> of articles imported into the United States to be considered for possible modification of duties and other import restrictions, imposition of additional import restrictions, or specific continuance of existing customs or excise treatment in the trade agreement negotiations of which notice is given above. In addition to articles of primary interest to Japan, there are also being listed some articles of interest to certain contracting parties as well as to Japan, and a few articles which are believed to be of primary interest to other contracting parties that may be negotiating with Japan, some of which articles are closely related to articles of primary interest to Japan.

Notice is also given of intention to negotiate settlement of several outstanding problems arising out of various actions by the United States. Negotiations are contemplated looking to such modi-

<sup>1</sup>Not printed here. Full list appears in the *Federal Register*, Nov. 16, p. 7380, and in Department of State Publication 5653 (Commercial Policy Series 145), which is available in the field offices of the Department of Commerce and from the Committee for Reciprocity Information, Tariff Commission Building, Washington 25, D. C.; in addition copies are on sale for 20 cents each by the Superintendent of Documents, U.S. Government Printing Office, Washington 25, D.C.

fication of trade agreement obligations as may be necessary in view of the enactment of Public Law 479 of the 83d Congress relating to certain rubber-soled shoes and Public Law 689 of the 83d Congress relating to certain prepared fish. In addition, the United States modified its concession on figs, fresh, dried, or in brine, as a result of an escape clause action. Finally, the United States did not find it possible to carry out obligations negotiated with Uruguay with respect to certain meat products. Among the possible outcomes of these negotiations might be a granting of such concessions on some items in the annexed list as may be necessary to compensate for the above actions of the United States.

The articles proposed for consideration in the negotiations are identified in the annexed list by specifying the numbers of the paragraphs in tariff schedules of Title I and Title II of the Tariff Act of 1930, as amended, in which they are provided for together with the language used in such tariff paragraphs to provide for such articles, except that where necessary the statutory language has been modified by the omission of words or the addition of new language in order to narrow the scope of the original language. Where no qualifying language is used with regard to the type, grade, or value of any listed article, all types, grades, and values of the article covered by the language used are included.

In the case of each article in the list with respect to which the corresponding product of Cuba is now entitled to preferential treatment, the negotiations referred to will involve the elimination, reduction, or continuation of the preference, perhaps in some cases with an adjustment or specification of the rate applicable to the product of Cuba.

No article will be considered in the negotiations for possible modification of duties or other import restrictions, imposition of additional import restrictions, or specific continuance of existing customs or excise treatment unless it is included, specifically or by reference, in the annexed list or unless it is subsequently included in a supplementary public list. Only duties on the articles listed imposed under the paragraphs of the Tariff Act of 1930 specified with regard to such articles and import taxes imposed on such articles under the Internal Revenue Code will be considered for a possible decrease, but additional or separate ordinary duties or import taxes on such articles im-



posed under any other provisions of law may be bound against increase as an assurance that the concession under the listed paragraph will not be nullified. In addition, any action which might be taken with respect to basic duties on products may involve action with respect to compensating duties imposed on manufactures containing such products. In the event that an article which as of January 1, 1954, was regarded as classifiable under a description included in the list is excluded therefrom by judicial decision or otherwise prior to the conclusion of the trade-agreement negotiations, the list will nevertheless be considered as including such article.

Persons interested in exports may present their views regarding any tariff or other concessions that might be requested from Japan. Any other matters appropriate to be considered in connection with the negotiations proposed above may also be presented. Public hearings in connection with the "peril point" investigation of the United States Tariff Commission in connection with the articles included in the annexed list, pursuant to section 3 of the Trade Agreements Extension Act of 1951, as amended, are the subject of an announcement of this date issued by that Commission.

Pursuant to Section 4 of the Trade Agreements Act, as amended, and paragraph 5 of Executive Order 10082 of October 5, 1949, information and views as to any aspect of the proposals announced in this notice may be submitted to the Committee for Reciprocity Information in accordance with the announcement of this date issued by that Committee.

By direction of the Interdepartmental Committee on Trade Agreements this 13th day of November, 1954.

CARL D. CORSE,  
*Chairman*  
*Interdepartmental Committee*  
*on Trade Agreements*

#### COMMITTEE FOR RECIPROCITY INFORMATION

- I. Trade-Agreement Negotiations under the General Agreement on Tariffs and Trade relating to Japan;
- II. Possible Adjustment in Preferential Rates on Cuban Products.

Submission of Information to the Committee for Reciprocity Information

Closing date for application to be heard, December 3, 1954

Closing date for submission of briefs, December 6, 1954

Public hearings open, December 13, 1954

The Interdepartmental Committee on Trade Agreements has issued on this day a notice of intention to participate in trade-agreement negotiations, on a reciprocal basis, looking to Japan's accession to the General Agreement on Tariffs and Trade, as a means of improving Japan's trading prospects in the free world. With a view to the further expansion of such trading prospects, the United States is also considering, in addition to negotiations directly with Japan, participating in limited negotiations with other contracting parties to the General Agreement that will also be negotiating with Japan, in order to broaden the overall results of the negotiations.

Annexed to the notice of the Interdepartmental Committee on Trade Agreements, is a list of articles imported into the United States to be considered for possible concessions in the negotiations. The Committee for Reciprocity Information hereby gives notice that all applications for oral presentation of views in regard to the proposed negotiations, which must indicate the product or products on which the individuals or groups desire to be heard, and an estimate of the time required for such presentation, shall be submitted to the Committee for Reciprocity Information not later than 12:00 noon, December 3, 1954, and all information and views in writing of persons who desire to be heard in regard to the foregoing proposals shall be submitted to the Committee for Reciprocity Information not later than 12:00 noon, December 6, 1954. Written statements of persons who do not desire to be heard shall be submitted not later than 12:00 noon, December 27, 1954. Such communications shall be addressed to "Committee for Reciprocity Information, Tariff Commission Building, Washington 25, D. C.". Fifteen copies of written statements, either typed, printed, or duplicated shall be submitted, of which one copy shall be sworn to.

Written statements submitted to the Committee, except information and business data proffered in confidence, shall be open to inspection by interested persons. Information and business data proffered in confidence shall be submitted on separate pages clearly marked "For official use only of Committee for Reciprocity Information."

Public hearings will be held before the Com-

mittee for Reciprocity Information, at which oral statements will be heard. The first hearing will be at 2:00 p. m. on December 13, 1954, in the Hearing Room in the Tariff Commission Building, 7th and E Streets, N. W., Washington 25, D. C. Witnesses who make application to be heard will be advised regarding the time and place of their individual appearances. Appearances at hearings before the Committee may be made only by or on behalf of those persons who have filed written statements and who have within the time prescribed made written application for oral presentation of views. Statements made at the public hearings shall be under oath.

Persons or groups interested in import products may present to the Committee their views concerning possible tariff concessions by the United States on any product, whether or not included in the list annexed to the notice of intention to negotiate. However, as indicated in the notice of intention to negotiate, no tariff reduction or specific continuance of customs or excise treatment will be considered on any product which is not included in the list annexed to the public notice by the Interdepartmental Committee on Trade Agreements, unless it is subsequently included in a supplementary public list.

The United States Tariff Commission has today announced public hearings on the import items appearing in the list annexed to the notice of intention to negotiate to run concurrently with the hearings of the Committee for Reciprocity Information. Oral testimony and written information submitted to the Tariff Commission will be made available to and will be considered by the Interdepartmental Committee on Trade Agreements. Consequently, those whose interests relate only to import products included in the foregoing list, and who appear before the Tariff Commission, need not, but may if they wish, appear also before the Committee for Reciprocity Information.

Persons interested in exports may present their views regarding any tariff or other concessions that might be requested from Japan. Any other matters appropriate to be considered in connection with the proposed negotiations may also be presented.

Copies of the list attached to the notice of inten-

tion to negotiate may be obtained from the Committee for Reciprocity Information at the address designated above and may be inspected at the field offices of the Department of Commerce.

By direction of the Committee for Reciprocity Information this 13th day of November, 1954.

EDWARD YARDLEY

*Secretary,*

*Committee for Reciprocity Information*

## Talks on U.S.-Philippine Relations

White House press release dated November 3

President Eisenhower received Senator [José P.] Laurel on November 3, and they discussed in general the relations between the United States and the Philippines and the current consultations between the two Governments regarding the Philippine Trade Agreement.<sup>1</sup>

The President stated that the United States has observed with great interest and satisfaction the recent progress achieved by the Government of the Philippines toward solving the problems and dislocations caused by World War II. Senator Laurel explained the great desire and need of the Philippine Government to pursue its program for economic development.

President Eisenhower indicated the continuing sympathetic interest of the United States in the effective and rapid economic development of the Philippines and reiterated the intention of the United States to continue to extend aid to the Philippines for this purpose. With this in mind the U.S. Government has extended substantial assistance in the past on both a grant and loan basis and is now considering the Philippine Government's proposal for aid next fiscal year in the form of loans and grants. Both forms of aid would be extended within the framework of the economic development program now being prepared by the Philippine Government and would be designed to encourage maximum participation by private enterprise in the development of the Philippines.

<sup>1</sup> BULLETIN of Sept. 20, 1954, p. 404, and Oct. 11, 1954, p. 541.

## Strengthening the General Agreement on Tariffs and Trade

*Statement by Samuel C. Waugh  
Assistant Secretary for Economic Affairs<sup>1</sup>*

The basic idea underlying the General Agreement on Tariffs and Trade is as simple as it is far reaching. This is that it is possible to construct a code of principles and rules which will guide the conduct of trade among all the countries of the free world and assure that such trade is carried on with the maximum possible freedom and on a basis of equity to all concerned.

Sweeping as this conception is, however, it is but a reflection of the fact embodied in so many facets of international life today, that the world is constantly and rapidly becoming smaller and that countries in their commercial as well as political relations must learn to live with one another. The free world simply must not permit itself to lapse into unrestricted protectionism, discrimination, and controls. If there were no general agreement today, we should have to create one.

In the 7 years during which it has been in effect, the general agreement has amply justified the faith of those who believe that a universal code of trade principles can be made to work. Under its aegis, tariffs of the contracting parties have been substantially lowered on a reciprocal and mutually advantageous basis; discriminations have been relaxed; numerous trade disputes have been amicably settled; and countries have acquired the habit of consulting together on mutual trade problems. There is every reason to believe that these accomplishments of the agreement have made a significant contribution to the advancement of the objectives which are laid down in its preamble.

<sup>1</sup> Made at the Ninth Session of the Contracting Parties to the General Agreement on Tariffs and Trade at Geneva on Nov. 10 (press release 637). Mr. Waugh is chairman of the U.S. delegation to the session.

These achievements are a source of solid satisfaction. However, no one has ever claimed that the general agreement is a perfect instrument. Our experience with it in the light of the enormous changes that have occurred in the world economic situation during the last 7 years clearly points to certain adjustments which need to be made and serious deficiencies which should be remedied. If we can reach agreement on such changes we shall have a stronger, more flexible, and a somewhat simpler agreement. This is the task before us, and as the chairman<sup>2</sup> has suggested in his admirable opening address, further progress toward an effective system of multilateral trade and payments depends in no small measure on how well we accomplish this task.

In approaching this problem my Government has certain major objectives which I shall outline presently. Thereafter, I shall touch on some subjects in which other countries have expressed a strong interest.

### Principal U.S. Objectives

The three principal objectives of the United States in the present review are: first, to provide the general agreement with an organizational framework which will permit it to operate more effectively and on a permanent basis; secondly, to strengthen and simplify the provisions relating to quantitative restrictions imposed for financial reasons; and thirdly, to safeguard the tariff concessions and assure their stability, while providing needed flexibility.

I have been gratified to note from the speeches

<sup>2</sup> Dana Wilgress of Canada.



of my fellow delegates that the objectives I have just outlined are shared by other countries. Permit me now to indicate in general terms my Government's views on each of these points.

First, as to the question of organization: The general agreement was initiated in 1947 as a provisional arrangement except as related to tariffs. This condition, unavoidable at that time, has been a limiting factor in the work of the contracting parties and has endowed the general agreement with an air of impermanence which is unsuited to the attainment of maximum effective action. Under present arrangements, the contracting parties normally meet only once a year to consider problems arising under the agreement. Between these annual meetings, the Intersessional Committee has acted on their behalf, but only with respect to a narrowly defined number of problems. The contracting parties have themselves considered and acted on the great majority of problems arising under the general agreement. Valuable as the work of the Intersessional Committee has been, it has remained essentially a stop-gap device.

My Government believes that this situation must be corrected. Problems of international trade arise almost daily, and it is essential that there be set up, within the framework of the GATT, procedures and arrangements for dealing more expeditiously with problems as they occur. In this connection, we would emphasize the need for close and more effective coordination between the contracting parties and the International Monetary Fund on matters of mutual concern, particularly in the matter of quantitative restrictions for balance of payments reasons.

Secondly, as regards the question of quantitative restrictions imposed for balance of payments reasons: When the general agreement was negotiated in 1947, the world was still struggling to extricate itself from the ruins of the Second World War, and most of the controls which countries had been forced to impose on their foreign trade and payments during the war were still being maintained in full vigor. With reconstruction only fairly begun, production at low levels, inflation still rampant, and monetary reserves depleted, there could be no serious thought of a substantial relaxation of restrictions. The extreme caution necessitated by these conditions is reflected in the broad escapes and hedges written into the balance of payments provisions of the agreement.

### Improved Economic Situation

Since then, the world has come far, indeed. Reconstruction has been virtually completed, monetary stabilization has been restored, international reserves have been recouped, production far exceeds prewar levels, and real incomes are everywhere on the upgrade. There are, of course, exceptional situations here and there, but as a whole we are undoubtedly in the midst of considerable prosperity.

This gratifying state of affairs is the result of the efforts of many countries. The war-ravaged countries, in spite of the greatest hardships, have accomplished in a remarkably short period of time the task of at once rebuilding, enlarging, and to a large extent modernizing their economies. The underdeveloped countries have made great strides in expanding output and in developing their human and material resources.

We are happy that our country too has been able to play a part in the postwar recovery of the free world, and we appreciate the friendly references which have been made to the aid which the United States has extended to other countries, and to our various programs by means of which large amounts of dollar exchange have been made available to the rest of the world. But I should like to direct your attention to another factor which for some reason is frequently overlooked, though it is probably more important than any other in the great improvement that has recently taken place in the world's dollar situation. I refer to the massive and constantly growing volume of imports into the United States from the rest of the world. In 1953 the physical volume, that is, the "quantum," of our imports was no less than 28 percent above the volume of 1948. Preliminary estimates indicate that, even with the slight decline in the level of economic activity in the United States, the volume of imports in 1954 will still be about 24 percent above 1948 and some 55 percent above the average for the years 1937 to 1939 inclusive.

The point I should emphasize in this connection is that the maintenance and steady growth of this tremendous volume of imports would have been impossible if the United States had not pursued what, by any fair standard, must be regarded as a liberal commercial policy. To a great extent, of course, these large imports are associated with the high levels of income and employment which the

United States has enjoyed in recent years. But there can be no question that the reductions that have been made in our tariff duties over the last two decades, first through our bilateral reciprocal trade agreements and more recently through the general agreement, have contributed very significantly to this development. In this connection it is noteworthy that in recent years the relative increase in imports of dutiable goods has been considerably greater than that of goods on our free list. Our present volume of imports also reflects another fact, sometimes forgotten in the attention focused on certain quotas maintained by the United States. This fact is that, apart from these exceptions which can only be regarded as minor when viewed against the total volume of our trade, imports into my country are virtually free from quantitative restrictions.

In calling attention to these facts, I do not mean to imply that we intend to stop where we are. My Government appreciates that there are certain directions in which our commercial policy can be further improved. As the President stated in his message which I read to you on Monday, some portions of our program have already been put into effect and, in the President's words,

The remaining parts, especially the heart of the program—extension and amendment of our Trade Agreements Act—will . . . be pressed at the session of the Congress which begins in January, and I look forward to early action.

Policies pursued by the United States have contributed directly to the development of favorable conditions making possible the removal of quantitative restrictions imposed for balance of payments reasons. In successive negotiations under the GATT, the U.S. Government has made substantial tariff concessions which have encouraged the entry of an unprecedented volume of imports.

These are in accordance with the principle of greater freedom of trade to which the contracting parties subscribe. What we do regret, however, and what large elements of our business and farm community do not understand, is that in spite of the great improvement that has taken place in the external financial position and competitiveness of most countries, quantitative restrictions against U.S. products should be so widespread.

Where such restrictions are maintained it is clear that they partially or completely nullify the tariff concessions which the United States has obtained.

## Message from the President

*Following is the text of a letter from the President to Assistant Secretary Waugh which the latter read to the GATT delegates on November 8.*

DEAR MR. WAUGH: Since you are soon leaving to participate in the Ninth Session on the General Agreement on Tariffs and Trade in Geneva, I should like to ask that you convey to your fellow delegates the importance that we attach to a successful outcome of the forthcoming renegotiation and review of the Agreement. The task before the contracting parties at this Ninth Session is one of crucial significance to the further economic growth of the free world.

At the time of the Eighth Session, the United States and other countries were reappraising their international economic policies. Based upon such a review in the United States, I recommended in March of this year a program for expanding international trade and overseas investment, for promoting currency convertibility, and for reducing the need for economic aid. Some portions of this program have already been put into effect. The remaining parts, especially the heart of the program—extension and amendment of our Trade Agreements Act—will, as you know, be pressed at the session of the Congress which begins in January, and I look forward to early action.

That program envisages United States participation in a multilateral approach to tariffs and trade. The General Agreement has made a useful contribution to the postwar recovery and restoration of the economic vitality of the free world. It was established at a time when the economies of most countries had been seriously weakened. The trade rules of the Agreement recognized that the objective of the widest possible movement of goods among the countries of the world could not be immediately realized, but the goal was set with confidence that it would be progressively achieved. I am convinced that economic reconstruction and growth has now reached a point in many countries to warrant further development of the Agreement, so that we may progress with even more assurance toward our ultimate objective. It would also seem essential that an effective organization be established for the administration of the Agreement and otherwise to promote an expansion of world trade.

The interests of the participating countries may at times seem to conflict. Our mutual goal is of such importance to the economic strength and well-being of all our peoples, however, that this session must be a practical demonstration of the ability of free countries to reach agreement on difficult issues. I am hopeful that ways and means of moving forward now toward our common goal will be found and that the Ninth Session of the Contracting Parties will be one of high achievement.



This is obviously an unsatisfactory state of affairs, from the viewpoint of the contracting parties as well as from that of the United States, and one which cannot continue indefinitely.

It is therefore with particular regret that we heard suggestions on Monday that the revised agreement should not deal firmly and positively with the question of limiting the use of protective quotas. We are also disturbed at suggestions that the firm commitments now in the general agreement against protective quotas be weakened, and that this problem be dealt with on a basis of bargaining or regional discrimination. Such an approach would, in our judgment, prevent the achievement of the objectives for which the agreement stands. It might well lead people in the United States to question the value of the agreement to us and whether there is any hope of our country's ever being able to reap the benefits anticipated from tariff negotiations.

My Government believes that conditions are rapidly approaching the point where the tariff concessions granted to the United States on a reciprocal basis should be made more fully effective. This is one of the reasons for our interest in reexamining the provisions of the general agreement dealing with quantitative restriction for balance of payments reasons.

Now, turning to the third major objective of my Government in the present review: The multilateral and reciprocal tariff reductions that have been negotiated in the context of the general agreement constitute the outstanding achievement of the contracting parties. My Government places the greatest emphasis on the need to preserve these gains. Nevertheless, we recognize that special or emergency situations may arise from time to time which may necessitate the review of certain concessions. It should be borne in mind, however, that the tariff concessions are the material of which the agreement is woven; to unravel them by a wide range of renegotiations is to risk destroying the entire postwar fabric of international economic cooperation. Requests for renegotiation at this session should be scrutinized carefully in this light. My Government considers it vital to maintain the stability of existing tariff concessions while providing the necessary degree of flexibility.

During the present review our delegation will wish to discuss with the contracting parties certain problems connected with U.S. agricultural policy.

One aspect of this policy which has been of particular concern to a number of countries relates to the question of export subsidies. In its proposals submitted to the contracting parties in connection with the review, my Government has already indicated that it is prepared to discuss the desirability of appropriate limitations with respect to the use of export subsidies in this field. As regards the disposal of surplus agricultural commodities in the world market, my Government is proceeding on its announced principle that such disposal should not unduly interfere with normal marketings.

Another problem which we would hope to resolve at this session is the relationship between the general agreement and section 22 of our Agricultural Adjustment Act, as amended.

One of the misfortunes associated with war is that it leads to a distortion of normal productive patterns. During the Second World War and the early postwar period, the world experienced an extremely severe shortage of foodstuffs and American agriculture was encouraged by the U.S. Government to expand production to the greatest possible extent. One of the methods employed to induce expanded output was the adoption of price-support programs designed to give the American farmer the assurance of a fair return on his production. Now, with the passing of the exigencies of the war and immediate postwar era, certain branches of American agriculture face the painful necessity of curtailing output.

My Government has recently reexamined the agricultural program of the United States in light of this situation and, as you know, has consequently adopted a new policy embodying the principle of flexible price supports. This policy is designed to bring about the necessary readjustments in our agricultural production. However, it is too early to estimate at this stage how soon, or to what extent, it will relieve the United States of the burden of farm surpluses.

In the meantime, it should be realized that the United States cannot afford to permit the unrestricted entry into its domestic market of foreign agricultural products which would not have been drawn thereto but for the magnet created by our price support program. To permit such unrestricted entry would, in the last analysis, mean supporting the world price of agricultural commodities at or near the same level as that guar-



anteed to the corresponding American commodities. Obviously, this is something that the American people cannot be expected to do.

Reference was made earlier to the desirability of considering in this review the special requirements of the underdeveloped countries. A major objective of U.S. policy is to encourage the development of the economically less developed countries of the world, and it is a source of satisfaction to my Government that the contracting parties to the GATT include countries in all stages of development. As a general rule the principle of maximum possible freedom of trade which underlies the whole of the general agreement is one whose application is beneficial to all types of economies and to countries in all stages of economic development. Nevertheless, it must be recognized that special problems may be associated with economic development. We believe the agreement should be sufficiently flexible to make it responsive to such problems, subject to procedures which will assure the safeguarding of its general objectives. My Government is prepared to give sympathetic consideration to proposals which would accomplish this purpose.

In conclusion let me repeat the conviction expressed in President Eisenhower's message, that our efforts here must produce a more effective agreement attuned to today's realities. The countries adhering to the general agreement can afford no other outcome, nor can the free world. If we approach our task in the spirit that it is a rededication as well as a review, we shall succeed.

## U.S. Policy on Jerusalem

Press release 624 dated November 3

The ranking diplomatic representatives of Jordan, Lebanon, Iraq, Yemen, Saudi Arabia, Libya, Syria, and Egypt called on the Secretary of State on November 3 to make known the views of their Governments with respect to the plans for presentation of credentials in Jerusalem by the appointed American Ambassador to Israel, Edward B. Lawson.

In the course of the conversation the Secretary recalled the policy of the U.S. Government to look to the United Nations as primarily responsible for determining the future status of Jerusalem. Following normal practice, the presentation of

credentials would be effected by Ambassador Lawson at the place where the Chief of State actually is. The fact that this means that the presentation will take place in Jerusalem implies no change in our attitude regarding Jerusalem nor does it imply any change in the location of the American Embassy in Israel, which is at Tel Aviv.

## FOA Announces Program of Aid to Iran

The Foreign Operations Administration on November 2 announced that the United States is prepared to offer aid to Iran in the form of loans and grants totaling \$127.3 million.

Both Iranian and U.S. Government circles have concerned themselves recently with the indication that, even with an oil settlement accomplished, it would be 3 years until Iran's oil revenues would permit it to finance large-scale development from its own resources. To help Iran during the interim period, the United States has decided to make available up to \$127.3 million which would be provided from both Foreign Operations Administration and Export-Import sources. This total includes \$21.5 million for a technical-cooperation program; \$52.8 million for consumer-goods imports, which will be sold by the Iranian Government for local currency (rials), which in turn will be used to support basic governmental expenditures as has been done in the past year; and an additional \$53 million largely for short-term developmental assistance, which would be provided for specifically approved projects.

Iran has not yet fully developed its own plans for economic development although it has submitted proposed projects to the Export-Import Bank for preliminary considerations. Some time, however, will be required for Iran fully to prepare project plans and establish priorities among them, and for the bank to make its required investigations. Of the above \$127.3 million, \$85 million is being offered in the form of loans, the balance in grants; \$15 million of the latter has already been allotted on an emergency basis.

With this assistance the Iranian Government will be able to finance essential Government operations as well as develop and initiate a sound economic development program.

Department of State Bulletin

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## Italian Cabinet Expresses Thanks for Offer of Emergency Aid

White House press release dated November 1

The Italian Cabinet has expressed to our Embassy in Rome its deep and sincere thanks for the offer of the United States to provide emergency relief for the flood disaster region around Salerno.

American voluntary relief agencies are actively cooperating with Italian authorities and the Italian Red Cross in rendering every possible assistance, including the distribution of food, clothing, and medicine to the people of this stricken area.

The Southern Area Command of NATO under Admiral Fechteler has contributed drugs and other medical supplies.

The American people will be gratified to know that their representatives in Italy are participating effectively to alleviate the suffering caused by this tragic event.

## Payment to German Republic for New Embassy Building

Press release 625 dated November 4

The Department of State on November 4 transmitted to the Government of the Federal Republic of Germany a check for \$300,000 for the acquisition of an Embassy building in the District of Columbia. In a short ceremony, Livingston T. Merchant, Assistant Secretary for European Affairs, and Ambassador Heinz L. Krekeler, chargé d'affaires of the Federal Republic, exchanged notes by which the check was transmitted and its receipt acknowledged. The funds were appropriated during the past session of Congress as the result of a bill introduced by Senator William Langer and Representative James G. Fulton.

The purchase of a new German Embassy in Washington became necessary because the previous building was confiscated during World War II.

Following are the texts of the notes which were exchanged.

*Secretary Dulles to Ambassador Krekeler*

NOVEMBER 4, 1954

EXCELLENCY: I have the honor to inform you that pursuant to Public Laws 663 and 758, 83rd Congress, the sum of \$300,000 was appropriated

for payment to the Federal Republic of Germany for the acquisition or construction of an Embassy building in the District of Columbia.

I believe this action by the Congress symbolizes the ties of friendship which now exist between the Federal Republic of Germany and the United States of America. Consequently, it gives me much pleasure to transmit herewith a United States Treasury check in the above amount.

Accept, Excellency, the renewed assurances of my highest consideration.

JOHN FOSTER DULLES

*Ambassador Krekeler to Secretary Dulles*

NOVEMBER 4, 1954

EXCELLENCY: I have the honor to acknowledge receipt of your note of November 4, 1954, advising that pursuant to Public Laws 663 and 758, 83rd Congress, the sum of \$300,000 has been appropriated for payment to the Federal Republic of Germany for the acquisition or construction of an Embassy building in the District of Columbia.

The Federal Republic of Germany wishes to express its appreciation for the action of the United States Government in providing these funds which it will devote to acquiring or constructing a new Embassy building in Washington.

I avail myself of this opportunity to renew the assurances of my highest consideration.

HEINZ L. KREKELER

## General Collins Undertakes Mission to Viet-Nam

White House press release dated November 3

The President on November 3 designated Gen. J. Lawton Collins as Special United States Representative in Viet-Nam with the personal rank of Ambassador, to undertake a diplomatic mission of limited duration. He will coordinate the operations of all U.S. agencies in that country.

General Collins will proceed immediately to Saigon, where he will confer with Ambassador Donald R. Heath prior to the latter's already scheduled return to the United States for reassignment following 4½ years of distinguished service in Indochina. For the duration of this assignment General Collins will relinquish his other duties, including that of U.S. representative on the Mil-

November 22, 1954



itary Committee of the North Atlantic Treaty Organization.

Since the conclusion of hostilities in Indochina, the U.S. Government has been particularly concerned over developments in Viet-Nam, a country ravaged by 8 years of war, artificially divided into armistice zones, and confronted by dangerous forces threatening its independence and security.

The U.S. Government is fully aware of the immense tasks facing the Government of Viet-Nam in its effort to achieve solidarity, internal security, and economic rehabilitation. The United States has already played an important role in the evacuation of hundreds of thousands of refugees from Communist rule in North Viet-Nam.

Moreover, as the President told Prime Minister Ngo Dinh Diem in his letter of October 23d, U.S. representatives in Viet-Nam have been instructed to consider with the Vietnamese authorities how a program of American aid given directly to Viet-Nam can best assist that country. General Collins will explore this matter with Prime Minister Ngo Dinh Diem and his Government in order to help them resolve their present critical problems and to supplement measures adopted by the Vietnamese themselves.

In executing his temporary mission, General Collins will maintain close liaison with the French Commissioner General, Gen. Paul Ely, for the purpose of exchanging views on how best, under existing circumstances, the freedom and welfare of Viet-Nam can be safeguarded.

### **Cabinet Committee on Telecommunications**

White House press release dated November 4

The President announced on November 4 the establishment of a Cabinet Committee on Telecommunications Policy and Organization, with the Director of the Office of Defense Mobilization as chairman and the Secretaries of State and Defense as members. The Secretaries of Treasury and Commerce and the Directors of the U.S. Information Agency, the Foreign Operations Administration, the Bureau of the Budget, and the Central Intelligence Agency will participate from time to time on particular matters of concern to those agencies.

The President asked the Cabinet Committee to review existing governmental policies and programs affecting all forms of electrical communications, such as telephone, telegraph, and radio, except that for the purposes of this study domestic radio and television broadcasting services have been excluded. The Committee was asked to make its report by January 31, 1955.

Developments in communications during and after World War II in conjunction with international political events of the postwar period have created a whole range of problems which should be considered from an overall standpoint, rather than on a piecemeal basis. The Nation's basic communications policies, which have not been significantly revised in 20 years, were established in a period when our position in the world and world conditions were quite different.

The Communications Act of 1934 vests in the President responsibility for controlling the operations of the large governmental telecommunications systems and also gives him considerable additional authority for use in time of war or national emergency. This act, which still is the basic expression of U.S. communications policy, assumed the existence of only two alternative situations—peace or war. It contemplated no intermediate situation such as the current cold war period. The President has emphasized the need for a comprehensive up-to-date telecommunications policy adequate to meet both governmental and private requirements of these times.

The President believes that the Government must provide effective leadership in assuring that telecommunications policies and programs will help enable our public and private organizations to play their proper roles in strengthening the unity and peaceful aims of the free world.

### **Standardization of FOA Procurement Rules**

The Foreign Operations Administration announced on November 4 that foreign assistance procurement financing procedures affecting FOA operations in more than 60 countries have been standardized with the adoption of a revised FOA Regulation 1.<sup>1</sup>

<sup>1</sup> 19 Fed. Reg. 6629.



This revision was required because of the consolidation last year into one agency, the Foreign Operations Administration, of foreign assistance activities previously conducted by separate agencies.

The revised regulation generally follows the previous edition of FOA Regulation 1 but makes the following principal changes:

It extends the regulation to all countries in which the FOA program operates.

It distinguishes between assistance for specific projects and for general commodity imports.

It eliminates the previous requirement that co-operating countries make refunds to FOA of FOA funds expended for foreign sales agents' commissions.

It also provides rules with respect to reexport and diversion of commodities.

The regulation includes the statutory provisions for informing small business of impending FOA-financed procurement and relating to transportation on U.S. flag vessels of commodities financed by FOA.

Copies of FOA Regulation 1 may be obtained from the Office of Public Reports, Foreign Operations Administration, Washington 25, D. C.

## **New Customs Regulations Require Fewer Certified Invoices**

The Treasury Department announced on October 25 changes in customs regulations which will effect a substantial reduction in the number of documents required of importers. The Department said both foreign traders and the Customs Service would benefit from the reduction in paper work—a major objective of the bureau's continuing management improvement program.

The new regulations require fewer certified invoices, which list such information about imports as the names of the shipper and consignee, selling price of the merchandise, its character, amount to be shipped, etc. The foreign manufacturer or producer pays a consular fee of \$2.50 to have the invoice certified before the nearest U.S. consul.

The Bureau of Customs took an initial step toward relaxing the certified invoice requirement in

1950. Exemptions from the requirement have applied to merchandise that is free of duty or subject only to a specific rate of duty not dependent upon value. The new regulations extend exemptions to all importations not exceeding \$500 in value even when the rate of duty depends upon value. The value of shipments exempted from certified invoice requirements when not imported for sale has been increased to \$1,000.

Customs officials have estimated that the new regulations will eliminate certified invoices for approximately 10 percent of the number of shipments presently requiring such invoices. Studies are continuing to determine what further reductions in paper work, including additional exemptions from consular invoices, may be authorized.

The new regulations are embodied in Treasury Decision 53638.<sup>1</sup>

## **Eximbank Loan to Mexico for Electric Power Program**

The Export-Import Bank of Washington on November 5 announced the authorization of a credit of \$750,000 to Cia. Industrial Electrica Mexicana, S.A., to assist that company in the purchase of U.S. materials, equipment, and services for an expansion program which is designed to meet the rapidly growing demand for power in the area served by it.

Cia. Industrial Electrica Mexicana, S.A., distributes electric energy in an important agricultural area in Mexico consisting of the Mexicali Valley in Baja California, including the city of Mexicali and nearby areas. The electric energy distributed by the company is transmitted from the United States.

The Bank of America has indicated a willingness to participate in the financing by furnishing a substantial portion of additional funds required for the program without the guaranty of the Export-Import Bank.

The credit authorized will bear interest at the rate of 5½ percent per annum and will be repayable in 20 approximately equal semiannual installments beginning June 30, 1958.

<sup>1</sup> 19 Fed. Reg. 6857.

## U. S. Endorses Report of Collective Measures Committee

*Statement by Charles H. Mahoney*

*U. S. Representative to the General Assembly*<sup>1</sup>

In discussing the report of the Collective Measures Committee,<sup>2</sup> we are pursuing the same important goal we have been seeking during our consideration of disarmament. Collective security and disarmament are opposite faces of the same coin. Their purpose is to achieve a reliable common protection against aggression and thus to insure a lasting peace.

The United States, as we have said time and time again, strongly supports a disarmament program which would give security to all. It earnestly desires a disarmament program which would make it impossible for any country to engage successfully in aggression against any other country.

As we seek to achieve an effective disarmament program, it is equally important that we develop at the same time an effective collective security system to attain the goal of international peace and security. In order to save the world from the scourge of war, nations must band together to deter or suppress aggression wherever it may occur.

Only by a determined effort now to develop the capacity of the United Nations to prevent or to repel future aggression can we hope to maintain international peace and security. The stronger the collective security system, the more likely that we will be able to prevent war; that our soldiers will never have to enter the battlefield; that our tanks and armaments of war will never have to leave the training grounds; and that our airplanes can pursue the commerce of peace.

<sup>1</sup> Made in Committee I (Political and Security) on Nov. 1 (U.S. delegation press release 1997).

<sup>2</sup> BULLETIN of Sept. 20, 1954, p. 420.

The charter is not self-executing. The United Nations cannot by some trick of legerdemain make collective security a reality. The building of an effective collective security system is dependent upon the resolve and determination of the members of the United Nations to carry out their obligations under the United Nations Charter. It means that advance preparations are essential if any future collective measures are to be applied promptly and effectively. It means that the burdens involved in such measures must be shared equitably by the greatest possible number of states.

The Government of the United States has consistently supported an effective collective security system under the United Nations. It strongly urged the adoption of the Uniting for Peace Resolution in 1950.<sup>3</sup> It has given its full support to strengthening the capacities of the General Assembly in the field of collective security. The United States has wholeheartedly backed the work of the Collective Measures Committee established under the Uniting for Peace Resolution to study and report to the General Assembly and the Security Council on methods which might be used to maintain and strengthen international peace and security.

The task of the Collective Measures Committee has been to explore how the collective security system of the United Nations can be made stronger; how an idea can take on bone and sinew and become a real force to protect the peace. The Committee, under the former chairmanship of Ambassador [Joao Carlos] Muniz of Brazil, and the present chairmanship of Ambassador [Santi-

<sup>3</sup> *Ibid.*, Nov. 20, 1950, p. 823.

ago] Perez-Perez of Venezuela, has done a useful and constructive job, and the United States has deemed it a privilege to be one of its members.

In completing its third report, which we are now considering, the Committee has taken another important step toward strengthening collective security under the aegis of the United Nations. The report is a useful supplement to the two previous reports of the Committee. Like its predecessors it is not the accomplishment of one or two states but rather of the entire Committee, whose members actively participated in its preparation. It is not too much to hope that the report will fortify our common determination to prevent or suppress breaches of the peace.

### Review of Three Reports

The three reports of the Collective Measures Committee should be viewed as a composite unit. They constitute a broad blueprint of important guideposts and principles of collective security which, if they are followed and supported wholeheartedly by states, will help to insure the maintenance or the restoration of international peace and security in the future.

The major part of the first report of the Collective Measures Committee was devoted to the types of military, political, and economic and financial collective measures which might be applied by the United Nations in the event of a future threat to the peace, breach of the peace, or act of aggression. The report also included suggestions on how such collective measures could be coordinated effectively and with a minimum of improvisation. The need for this kind of prior planning had been demonstrated by the difficulties encountered in Korea in organizing hurriedly the collective resistance against aggression. After analyzing the Korean experience in detail, the Committee developed a number of important principles which should greatly assist the United Nations to avoid unnecessary delays if it should ever have to take or recommend collective measures in the future. One of the most important of these was that there should be a central executive military authority responsible for the conduct of a future military operation under the aegis of the United Nations.

The second report of the Collective Measures Committee, which the General Assembly reviewed at its resumed Seventh Session in early 1953, expanded upon the first report. The Committee

gave particular attention to steps which states might take to set aside forces for possible United Nations service, to make available assistance and facilities, and to ready themselves legislatively and administratively. In its concern with methods which might be used to maximize contributions to the United Nations, the second report suggested the possibility of establishing an *ad hoc* negotiating committee to deal directly with states in securing contributions for possible collective action in the future. The Committee, in its second report, also included comprehensive lists of arms, ammunition, implements of war and other strategic items which would be of vital importance to the military operations of an aggressor. These lists should be of assistance to the Security Council and the General Assembly in expediting the application of any embargo which may be decided upon or recommended in the future.

In its third report the Committee has presented certain important principles of collective security for particular affirmation at this time in the belief that this would help to develop the common determination among states necessary to the effective application of any future collective measures by the United Nations. These principles do not ask anything impossible of states. Varying capacities of countries are recognized. While members are expected to accept their charter responsibility to unite their strength and efforts in the furtherance of charter principles, each state determines for itself, in accordance with its own constitutional processes and its own capacity, the contribution it can make to the common cause.

The first principle affirmed in this year's Committee report underscores the importance of maximum and prompt participation in any future collective measures by the greatest possible number of states. In our view, Mr. Chairman, building collective strength under the United Nations is a long-range project. It is therefore important for all states to give consideration on a continuing basis to the additional preparatory steps which they might take to place themselves in a position of readiness should the United Nations recommend or decide upon future collective measures. This principle is derived from the valuable lesson learned in Korea. Aside from the United States and the Republic of Korea, 15 members contributed the equivalent of two divisions to the United Nations action in Korea; over 40 states made contributions of a non-military nature; and an equal number joined in



the United Nations strategic embargo against the aggressor. While this marked a significant development in collective security, I think it is generally recognized that the burdens of collective resistance against aggression in Korea could have been shared more equitably. This is particularly true with respect to the contribution of manpower.

#### Maximum Contributions

The second principle emphasized in the Committee's third report stresses the importance of maximum and effective contributions of manpower. In the words of the report:

In the event that the collective use of force against aggression is decided upon or recommended, a primary objective shall be to secure the maximum contribution of effective military forces. States supporting United Nations collective measures should co-operate to this end not only by making their own contributions of forces but also by helping to provide logistic support to States which desire to contribute forces but are unable to provide adequately for the equipment, training or supplying of such forces from their own resources.

There are a number of reasons why certain nations were not able to contribute effective military forces in support of the United Nations action in Korea or could make only small contributions of manpower. The threat of aggression is global; it is necessary to remain vigilant and strong on many fronts. Some states therefore could make little or no contributions to United Nations action in Korea because they had important commitments to protect other crucial areas vital to the security of the free world. The economic position of a number of smaller states was another limiting factor. In still other instances certain nations wanted to contribute manpower but could not train, equip, or transport their forces, or were unable to maintain them in the field with the necessary logistic support or make reimbursement for such support. This inevitably had a discouraging effect on troop contributions in Korea.

The United States Government, at the highest level, has given serious consideration to the problem of developing the widest possible support for future United Nations collective actions which may be necessary. The policy of the United States is in accord with the second principle enunciated in the Collective Measures Committee's report. We believe that, while each nation involved in a United Nations effort to repel aggression should equip and supply its own forces to the

extent that it is able, the overriding consideration should be the maximum contribution of effective military forces. In the future, when any nation is willing to contribute effective forces to a United Nations collective action but is not able to provide logistic support, it is the belief of the United States that United Nations members should do everything they can, in accordance with their own constitutional processes and their capacities, to see to it that needed military equipment, supplies, and services are made available to such nations. The United States will do its part.

This principle should give further impetus to the development of collective security. It should help United Nations members to contribute to the common effort in accordance with their own capabilities and facilities and resources. It should encourage more nations to assume their fair share of the burdens of collective measures. We hope that it will stimulate countries to greater preparedness so that they will be able to participate promptly and effectively in any future collective measures.

The third principle in this year's report once again affirms the mutually supporting relationship between collective self-defense and regional arrangements or agencies on the one hand, and the more universal collective security system of the United Nations on the other hand. The report expresses this relationship in the following words:

Collective self-defence and regional arrangements or agencies constitute an important part of collective security. When action consistent with the Charter is taken in the exercise of the inherent right of individual or collective self-defence contemplated in Article 51, or to maintain or restore international peace and security within the framework of regional arrangements or agencies covered by Chapter VIII, the United Nations should take all appropriate steps, in conformity with the Charter, to make such action effective.

Under present world conditions the United States attaches great importance to collective self-defense and regional arrangements. They play an important part within the framework of the United Nations in organizing resistance to aggression, in creating conditions essential to peace and security, and in reducing international tensions. Member states have increasingly drawn together in voluntary partnerships to obtain for themselves the benefits and security which none of them could achieve alone. The oldest of such partnerships, the Organization of American States, has con-

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tributed to peace and stability and to mutual understanding in this hemisphere and has thus realized one of the major purposes of the United Nations. The North Atlantic Treaty Organization is an historic step forward toward achieving the unity and security of the free countries of Europe and North America.

#### **Southeast Asia Treaty**

The Southeast Asia Collective Defense Treaty, recently signed at Manila, is a significant contribution to peace and security in that part of the world.<sup>4</sup> In its preamble the signatories reaffirm their faith in the United Nations Charter. The objectives of the treaty are to promote stability and well-being in the treaty area; to strengthen peace and uphold democratic principles; to promote economic development in the area; to stand united against aggression; and to coordinate efforts for collective defense. The treaty and the Pacific Charter, also signed at Manila, proclaim the dedication of all the signatories to the principles of self-determination, self-government, and independence. One of the principal purposes of the charter is to promote these objectives.

The words spoken by Secretary Dulles at the opening session of the conference at Manila will indicate the spirit in which the United States went there to negotiate with others the Southeast Asia Collective Defense Treaty. Secretary Dulles said:

We have come here to establish a collective security arrangement for Southeast Asia. In so doing we are acting under the authority, and in accordance with the principles, of the United Nations Charter. What we do is directed against no nation and no peoples. We exercise what the charter refers to as the inherent right of collective self-defense.

The United States has itself no direct territorial interests in Southeast Asia. Nevertheless, we feel a sense of common destiny with those who have in this area their life and being.

I should like now to make a brief comment on the resolution<sup>5</sup> which the United States is cospon-

<sup>4</sup> *Ibid.*, Sept. 20, 1954, p. 393.

<sup>5</sup> U.N. doc. A/C.1/L. 104 dated Oct. 29. On Nov. 2, by a vote of 50-5, Committee I approved the draft resolution, thereby endorsing the report of the Collective Measures Committee, directing the committee "to remain in a position to pursue such further studies as it may deem desirable," and requesting that the Committee "report to the Security Council and to the General Assembly as appropriate." The resolution was approved by the General Assembly on Nov. 4 by a vote of 48-5-2.

soring with other members of the Collective Measures Committee. The resolution reflects the view of the Committee that it should remain in a position to pursue such further studies as it may deem desirable. This view in turn indicates the Committee's awareness of the important work it has performed in the past. It points up the contribution the Committee believes it could make in the future toward a better understanding and strengthening of collective security.

The United States Government shares this view with the other members of the Committee. We recognize that the Committee's three reports constitute a relatively comprehensive examination of the ways and means of strengthening the collective security system of the United Nations. Nevertheless, in these times of important changes in the technology of warfare, the concept of collective security needs constant and continuous reassessment. It may be that the Collective Measures Committee at some future time may find it necessary and desirable to undertake further studies in order to keep pace with the changes in collective security which we can all expect in this atomic era. The continued availability of the Committee will help to discharge the responsibility of the United Nations and of states in the field of collective security.

#### **Treatment of Indians in South Africa**

*Statements by Senator H. Alexander Smith  
U.S. Representative to the General Assembly<sup>1</sup>*

#### **U.S. VIEWS ON DRAFT RESOLUTION**

U.S. delegation press release 1994 dated October 26

The General Assembly for the eighth time since 1946 has been asked to consider the problem relating to the treatment of people of Indian origin in the Union of South Africa. Unfortunately, this question, which is the subject of differences between the Union of South Africa on the one hand and the Governments of Pakistan and India on the other and which has been the subject of negotiations between governments, has perhaps

<sup>1</sup> Made in the *Ad Hoc* Political Committee on Oct. 26 and in the General Assembly on Nov. 4.



been one of the most difficult for the United Nations since the adoption of the charter at San Francisco.

In the past, various approaches to the problem have been tried without success. Appeals have been sent by the General Assembly to the Governments of South Africa, India, and Pakistan to negotiate for a settlement. Third-party machinery, either in the form of a commission or the good offices of one individual designated by the Secretary-General, have also been included in past attempts. These attempts underscore the intrinsic difficulty of finding a satisfactory solution to a complex and deeply rooted political and sociological problem—one which involves the serious complaint that persons are being discriminated against because of race and color. The latest evidence before us that no perceptible progress has been made is the report of the Good Offices Commission,<sup>2</sup> comprised of the distinguished representatives of Cuba, Syria, and Yugoslavia. The Commission has reported that it has been unable to make any progress toward the development of a solution to the problem.

However, we have not lost hope that a mutually satisfactory settlement may ultimately be achieved. Complicated problems are rarely susceptible to easy and quick solutions. Like many other representatives here who are intimately acquainted with race relations problems in their own countries, what I will have to say concerning the basic American attitude is largely derived from our own experience in this field within the United States.

We realize full well, as others do, that translating ideals into realities in the field of human relations is not always as rapid as we might desire. We are a country of many strains, a melting pot of numerous groups, and a community of many religious beliefs. I am privileged to represent the State of New Jersey in the Senate of the United States. Among my constituents are Americans of many groups: Hungarian, Ukrainian, Polish, Greek, German, Italian, Irish, Negro, Slovene, and others. A substantial percentage of the total population of the State of New Jersey are foreign born or are of foreign-born parents. We have made progress, yet problems remain.

Many sincere and serious words have been

spoken by my distinguished predecessors on earlier United States delegations and by the honorable members of other delegations. I have found it instructive to study some of those speeches. One fact which is impressive is the number of times the different speakers have referred to a basic tenet found in one form or other in all leading religions in what we in America call the Golden Rule—"Do unto others as you would have them do unto you." Most of the delegates, including I, believe the successive delegates of the United States who have debated this question in the past sessions spoke with humility and deep awareness of the imperfections and frailties of their own peoples and their own governments. We are frank to admit our share of responsibility. At the same time, we have all drawn on some of our own national experience to point out the direction in which we all believe progress can and should be made in this matter of race relations.

There is in the United States the strongest attachment to the fundamental philosophy and constitutional principle on which our country was founded, such as the proposition that "All men are created equal" stated in our Declaration of Independence and the guaranties of the Bill of Rights contained in the first 10 amendments to our Constitution. A wealth of statements from our officials and leading citizens in all walks of life leaves no doubt as to the position of the United States Government and the overwhelming majority of the American people on the basic problem involved here. That position was highlighted in the great stride forward which was taken this year when the Supreme Court of the United States ruled as unconstitutional any segregation in the public schools on the basis of race, creed, or color.

In recalling that decision of the Supreme Court of the United States, it is pertinent to consider that there was a spread of 91 years between that decision and the Emancipation Proclamation of President Abraham Lincoln, which abolished the institution of slavery in the United States and freed the slaves. I mention this in no sense suggesting that a similar length of time will or should elapse before the Union of South Africa resolves its own problem in the spirit of the previous resolutions of the United Nations and of the charter itself but simply to reiterate the difficulty of the situation and as illustration that problems of human relationships are not solved overnight.

<sup>2</sup> U. N. doc. A/2723 dated Sept. 15, 1954.



It has also been pointed out in speeches at earlier Assembly sessions on this issue that a particularly disturbing element in the problem before us is what appears to be the direction of the Government's policy in the Union of South Africa. The charter proclaims the fundamental equality of man and recognition of the dignity of each individual human being. The charter places on member governments the obligation to promote respect for and observance of fundamental human rights.

I should like now to turn to the resolution before us which is being cosponsored by the Governments of Argentina, Brazil, Costa Rica, Cuba, Ecuador, El Salvador, Haiti, and Honduras.<sup>3</sup> The initiative of this group in seeking to make a constructive proposal on a problem which has escaped solution for years is noteworthy and commendable. The United States Government wishes to add its wholehearted expression of appreciation for these efforts.

The United States has considered the resolution before us. Operative paragraphs 1 and 2 stress direct negotiations. We believe they are constructive since they can help to create an atmosphere conducive to negotiations between the parties. If there is to be progress, we believe it can come only to the extent that the parties are willing to confer and negotiate. The contact between the parties which has been broken on the Indian question needs to be reestablished.

However, the United States doubts whether paragraphs 3 and 4 of the resolution can advance the admirable purposes of operative paragraphs 1 and 2. The fact is that ever since 1950 the General Assembly has proposed to the parties that they utilize mediatory machinery established by the United Nations or under United Nations auspices. Every such suggestion has failed. South Africa has made it plain it is willing to negotiate but only outside the United Nations. We believe the time has come to test this avowal.

Paragraph 3 of the seven-power resolution parallels General Assembly resolution 511 (VI). The latter resolution authorized the Secretary-General, if the parties were unable to agree on the establishment of a three-man commission, to lend his assistance to them in negotiations and further, in his discretion and after consulting the governments concerned, to appoint an individual to ren-

der such assistance. When the Secretary-General explored the possibilities of this course of action with the parties, South Africa replied that, since it did not recognize the General Assembly's jurisdiction, it regretted it could not recognize the Secretary-General's competence to take this action. Consequently, the Secretary-General reported to the Assembly that after consultations with the parties he had concluded that the appointment of an individual to assist them in negotiations was not opportune.

Regarding paragraph 4, if there is to be some kind of mediator or individual rendering good offices, we are convinced that his efforts should be unhampered by any requirement for General Assembly consideration after a specified period. Inclusion of time-limit provisions in operative paragraphs 3 and 4 constitutes a practical and certainly a serious psychological handicap in mediatory efforts. He should be free to report at such time as he believes circumstances warrant. In any event, nothing would prevent the parties, if necessary, from placing the present question once again on the agenda. Paragraph 4, therefore, is in our view undesirable and unnecessary.

In line with these comments I have just made, the United States ventures to suggest a modification and adjustment of the joint draft resolution now before the committee. We suggest the replacement of operative paragraphs 2, 3, and 4 by a single operative paragraph reading as follows:

*Suggests* moreover, pending further consideration by the General Assembly, that the parties concerned should consider the selection of a Government, agency or person to facilitate contacts between them and assist them in settling the dispute;

Such a provision would give maximum encouragement to the parties to engage in discussions, with the assistance of a third-party mediator or good officer if the parties, in their discretion, believe that such assistance would be helpful. The provision would, at the same time, indicate that the General Assembly would return to a further consideration of this whole matter if the parties are unable to make progress with direct negotiations.

The United States is not at this time making a formal proposal for amendment of the joint draft resolution but earnestly commends to the sponsors and to the other members of this committee the suggestion I have just outlined.

<sup>3</sup> U.N. doc. A/AC.76/L.3/Rev.1 dated Oct. 25.

## EXPLANATION OF U. S. VOTE

U.S. delegation press release 2007 dated November 4

We are considering once again the problem relating to the treatment of people of Indian origin in the Union of South Africa. It is a problem of great intrinsic difficulty, and for this reason I wish to express once again the appreciation of the U.S. Government for the efforts made by the Latin American sponsors in developing a resolution which has received the overwhelming support of the members of the *Ad Hoc* Political Committee.

It is our earnest hope that the parties concerned will do their utmost to resolve the issue in the spirit of that resolution.

The U.S. Government will vote in favor of the preamble of the resolution and the operative paragraphs 1 through 3. We will abstain on operative paragraphs 4 and 5 because, as we stated in the committee, we have serious doubts that the suggestions contained therein can contribute to the

### Resolution on Treatment of Indians in South Africa<sup>1</sup>

U.N. doc. A/AC.76/L.6 dated October 28

*The General Assembly,*

Recalling that at several sessions it has considered the question of the treatment of people of Indian origin in the Union of South Africa and has adopted resolutions on that subject,

Having noted the report of the United Nations Good Offices Commission (A/2723),

1. Expresses appreciation of the work and efforts of the Good Offices Commission;
2. Suggests to the Governments of India, Pakistan and the Union of South Africa that they should seek a solution of the question by direct negotiations;
3. Suggests, moreover, that the parties concerned should designate a Government, agency or person to facilitate contacts between them and assist them in settling the dispute;
4. Decides that, if within the next six months following the date of the resolution that parties have not reached agreement on the suggestions made in the foregoing paragraphs, the Secretary-General shall designate a person for the purposes specified above;
5. Requests the Secretary-General to report to the General Assembly at its next regular session on the results obtained.

<sup>1</sup> Adopted by the *Ad Hoc* Political Committee on Oct. 28 by a vote of 47-1 (South Africa)-10, and by the General Assembly on Nov. 4, 45-1-11.

overall purpose of the resolution. The United States will vote in favor of the resolution as a whole, since we are in full agreement with its conciliatory nature and in particular the objective of direct negotiations between the parties which seeks to bring about.

Our belief is that progress can only come to the extent that the parties are willing to confer and to negotiate. We are hopeful that the expression of the General Assembly consensus here can help to create an atmosphere conducive to the negotiations between the parties.

In conclusion, Mr. President, I move pursuant to Rule 91 that each paragraph of the resolution be put to the vote separately.

## Admission of New Members

*Statement by James J. Wadsworth  
U.S. Representative to the General Assembly<sup>1</sup>*

In his speech before the General Assembly on September 23, the Secretary of State, Mr. John Foster Dulles, remarked upon the disturbing fact that "the membership of the United Nations falls far short of representing the totality of those nations which are peace-loving, which are able and willing to carry out the obligations of the charter, and which are indispensable parties to many critical international problems."<sup>2</sup> He went on to say that "unless ways can be found to bring peace-loving, law-abiding nations into this organization, then inevitably the power and influence of this organization will progressively decline."

I am sure that the overwhelming majority of this committee share these views. The efforts that were made 2 years ago by a Special Committee on Membership, and this past year by the Good Offices Committee, to find ways and means of bringing an end to the present stalemate bear witness to the almost universal concern that no possible avenue to solution of this issue should remain unexplored.

It is certainly cause for dismay and regret that no new member has been admitted to the United Nations since Indonesia came into the organization in 1950. There is no dearth of qualified applicants. Some have been waiting for admission since as long ago as 1946. There are now 14 states

<sup>1</sup> Made before the *Ad Hoc* Political Committee on Nov. 2 (U.S. delegation press release 1999).

<sup>2</sup> BULLETIN of Oct. 4, 1954, p. 476.



that have been excluded from this organization by the actions of one member which has cast its veto a total of 28 times on the membership issue. The Soviet Union has not hesitated to veto the application of states for admission to membership even though it openly admits it is doing so on grounds other than failure to meet the qualifications of article 4 of the charter. The Soviet Union has done this despite numerous determinations by the General Assembly that each of the 14 applicants fully meets all qualifications for admission. Moreover, these vetoes have been cast in defiance of the advisory opinion of the International Court of Justice that a permanent member of the Security Council may not make its position on one applicant dependent upon favorable action on another applicant.

From the very birth of this organization it was always envisaged that membership would encompass all peace-loving states accepting the obligations of the charter and able and willing to carry them out. While article 4 of the charter set certain tests for admission, membership was understood to be open to all states meeting these tests. The United States has hoped that all states would qualify for membership both because of the view that the national interests of states make desirable their participation in the work of the organization and because of the larger interest of the organization itself in having present in a single forum representatives from every participant in international affairs.

#### **Committee of Good Offices**

These are the considerations that have prompted the General Assembly to try to find means for solving the membership problem. A new effort in this direction was made last year when the Assembly established a Committee of Good Offices on which were represented Egypt, the Netherlands, and Peru. Dr. Victor Belaunde of Peru served as the distinguished chairman of the committee. All of us are indebted to the three members of the Good Offices Committee for the service they performed in behalf of the United Nations during the past year. We know that they made every effort consistent with the principles of the charter to bring about a solution of the membership problem.

All of us share the disappointment which I am sure the Good Offices Committee itself felt when it was compelled to report to this session of the

General Assembly that it had been unable to make any progress toward achievement of a solution.<sup>3</sup> At the same time the Good Offices Committee has not abandoned hope for an eventual solution. Likewise all of us here hope that sooner or later all those applicants that are eminently qualified for admission to membership in the United Nations, and who by their presence could add substantially to the weight and effectiveness of our deliberations, will take their rightful places beside us at the conference tables of the United Nations.

We share the view expressed here by others that the General Assembly should renew the mandate of the Good Offices Committee. The committee's continued existence would insure that the membership problem will be kept under review and that no opportunity will be lost. It will be a constant reminder to the 14 qualified applicants that the overwhelming majority of the United Nations wants them as members. It will help to keep the door open, even though the outlook for a change in the attitude of the Soviet world is not bright.

#### **Fourteen Qualified Applicants**

This committee has in the past reviewed in detail every facet of the membership problem, and I see no point in covering the same ground today. I must repeat, however, the view of my Government that the 14 qualified applicants, whose admission is blocked solely by the opposition of the Soviet Union, should immediately be admitted. There is virtually no disagreement as to their qualifications. Even the Soviet Union admits that most of them are qualified, but it has continued to insist that they can be admitted only if certain other applicants sponsored by the Soviet Union are also admitted. Moreover, with respect to the 5 Soviet-sponsored candidates for membership, it is not a matter, as has been suggested by the distinguished representative of Poland [Juliusz Katz-Suchy], of internal structure, policies, or ideology. It concerns whether they are states that are peace-loving and able and willing to fulfill charter obligations. The 14 states that meet the test of article 4 and which we believe should be admitted are: Austria, Cambodia, Ceylon, Finland, Ireland, Italy, Japan, Jordan, the Republic of Korea, Laos, Libya, Nepal, Portugal and Viet-Nam.

It is unnecessary to discuss the qualifications of each one of these applicants because the General

<sup>3</sup> U.N. doc. A/2720 dated Sept. 9, 1954.



Assembly has already determined all 14 to be fully qualified for admission and there have been no recent developments casting any doubt on their continued eligibility for admission.

The Australian delegation has proposed<sup>4</sup> that separate action be taken at this session on the applications of Cambodia and Laos, on the ground that the settlement in Indochina achieved last summer at Geneva makes even more desirable their prompt admission to the United Nations. As I indicated by listing the 14 qualified applicants, my Government agrees that both states should be admitted. Our affirmative position on the Australian proposal does not mean that we do not equally desire the admission of all the other qualified applicants.

Naturally, in light of the past experience and the continued deadlock in the membership field as well as the discouraging position of the Soviet Union, it is hard to be optimistic as to the prospect of the admission of any new members no matter how highly qualified they may be or what special circumstances justifying their prompt admission may be adduced, as in the case of Laos and Cambodia. It is because of this that my Government has been giving serious study, which we intend to continue, to the possibility of arrangements whereby qualified applicants might participate in the work of the General Assembly to the maximum extent possible even though they have not formally been admitted to membership. While naturally all the applicants would prefer full membership, we believe the Assembly must continue to give thought to other ways of drawing them into our work, pending the day when they can be admitted to regular membership in the United Nations.

While these efforts continue, we should bear in mind the prospect of a charter review conference. If, by the time such a conference is held, a solution of the membership problem has not been found, there are likely to be proposals for amending the charter. In the interim, we believe that study should be given to the possibilities which a charter review conference may offer.

Let me close, Mr. Chairman, by repeating our unswerving determination to persist in exploring all possible avenues that might lead us to the goal that most of us seek so fervently—the seating of all qualified states as members of this great international body.

<sup>4</sup> U.N. doc. A/AC.76/L.4 dated Oct. 27, 1954.

## Current U.N. Documents: A Selected Bibliography

Draft of Report of the International Law Commission Covering the Work of its Sixth Session. A/CN.4/L.48, July 1954. 5 pp. mimeo.

Information from Non-self-governing Territories: Summary and Analysis of Information Transmitted Under Article 73 e of the Charter. Report of the Secretary-General. Summary of information transmitted by the Government of France. A/2654, August 13, 1954. 70 pp. mimeo.

Information from Non-self-governing Territories: Summary and Analysis of Information Transmitted Under Article 73 e of the Charter. Report of the Secretary-General. Summary of information transmitted by the Government of France. A/2654/Add.2, August 18, 1954. 37 pp. mimeo.

Awards of Compensation Made by the United Nations Administrative Tribunal: Advisory Opinion of the International Court of Justice. A/2701, August 19, 1954. 97 pp. printed.

Supplementary List of Items for the Agenda of the Ninth Regular Session of the General Assembly: Item proposed by France. Amendment to the Rules of Procedure of the General Assembly; Proposal for a New Rule Concerning Corrections of Vote. Letter dated 16 August 1954 addressed to the Secretary-General by the Permanent Representative of France to the United Nations. A/2700, August 31, 1954. 2 pp. mimeo.

## TREATY INFORMATION

### Proclamation Affirms Reciprocal Copyright Relations With India

*At the Library of Congress on October 21, George V. Allen, Ambassador to India, and Gaganvihari L. Mehta, Indian Ambassador to the United States, participated in a brief ceremony and an exchange of notes relating to a new copyright arrangement between the two countries. Following are texts of the notes, a Department announcement, remarks made at the ceremony by Ambassador Allen, Ambassador Mehta, and L. Quincy Mumford, Librarian of Congress, and Proclamation 3076, which clarifies the right of Indian nationals to obtain copyright protection in this country and formalizes the protection accorded by India to United States citizens.*

### DEPARTMENT ANNOUNCEMENT

Press release 600 dated October 21

A copyright proclamation signed by the President on October 21 and an exchange of diplomatic

notes between the Acting Secretary of State and the Indian Ambassador at Washington served to affirm the continued existence of reciprocal copyright relations between the United States and India. This copyright arrangement represents a strengthening of the basis for increasing cultural interchange between the two countries.

The diplomatic notes and the new proclamation clarify the right of Indian nationals to obtain copyright protection in this country subsequent to August 15, 1947, when the Indian Independence Act went into effect, and formalize the protection accorded by India to U.S. citizens, which was not affected by the transfer of power.

After August 15, 1947, in the absence of a formal agreement between the two countries, the U.S. Copyright Office delayed the registration of books and other artistic and literary materials of Indian nationals. The Copyright Office may now issue certificates of registration covering works of citizens of India.

A number of important Indian books and publications are presently pending registration and will be protected under the new arrangement. These include biographies, such as *The Story of Gandhi* by Krishna Nehru, and *Prison and Chocolate Cake* by Nayantara Sahgal, the daughter of Madam Pandit.

Among the works of fiction is a novel, *The Financial Expert* by R. K. Narayan, and the scientific treatises include *Mining, Processing, and Uses of Indian Mica* by Chand Mull Rajgarhia, a member of the Indian Ministry of Commerce, and *Introduction to the Embryology of Angiosperms* by P. Maheshwari, professor of botany at the University of Delhi.

#### EXCHANGE OF NOTES

*The Acting Secretary of State to the Indian Ambassador*

OCTOBER 21, 1954

EXCELLENCY: I have the honor to acknowledge the receipt of your note of today's date, in which you refer to the recent conversations held in New Delhi between representatives of our two Governments with respect to the copyright relations between India and the United States after August 15, 1947.

You state in your note that the legal obligation of India to extend the protection of its Copyright

Law to citizens of the United States was not altered by the transfer of power on August 15, 1947, since section 18 (3) of the Indian Independence Act, 1947, provided for the continuation, except as otherwise expressly provided, of all laws which existed immediately before the transfer of power. You state that similarly the legal obligations of India with respect to copyright were not altered by the creation of the Republic of India on January 26, 1950, since Article 372 (1) of the Constitution of India provided for continuation of all laws in force immediately before India became a Republic. You state that in view of this, your Government has instructed you to state its assurances that after August 15, 1947, as before that date, citizens of the United States have been and continue to be entitled to the benefits of copyright in India on substantially the same basis as citizens of India, including rights similar to those provided by section 1 (e) of title 17 of the United States Code.

I have the honor to inform you that with a view to affirming the continuance of copyright relations between our two countries, as established prior to the change in the legal status of India, the President of the United States of America has issued today a Proclamation, a copy of which is enclosed herewith, declaring and proclaiming, pursuant to the provisions of section 9 (b) of the said title 17 on the basis of the assurances set forth in your note, that after August 15, 1947, as before that date, the conditions specified in sections 9 (b) and 1 (e) of the said title 17 have existed and have been fulfilled with respect to citizens of India, and that citizens of India, after August 15, 1947, as before that date, have been entitled to all the benefits of the said title 17.

Accept, Excellency, the renewed assurances of my highest consideration.

HERBERT HOOVER, Jr.  
*Acting Secretary of State*

*The Indian Ambassador to the Secretary of State*

OCTOBER 21, 1954

EXCELLENCY: In accordance with instructions from my Government, I have the honor to refer to the recent conversations held in New Delhi between representatives of our two Governments with respect to the copyright relations between India and the United States after August 15,

1947, the date of the transfer of power pursuant to the Indian Independence Act, 1947. It is my understanding, that, upon receipt of affirmative assurances that after August 15, 1947, as before that date, Indian law has granted to citizens of the United States the benefit of copyright on substantially the same basis as to its own citizens, your Government is prepared to have issued a Presidential Proclamation under section 9 (b) of title 17, United States Code, being the Copyright Law, to continue to grant the protection of that law to citizens of India after August 15, 1947, thereby providing for and affirming the continued existence of copyright relations between our two countries as established prior to the change in the legal status of India.

The legal obligation of India to extend the protection of its Copyright Law to citizens of the United States was not altered by the transfer of power on August 15, 1947. Section 18 (3) of the Indian Independence Act, 1947, provided for the continuation, except as otherwise expressly provided, of all laws which existed immediately before the transfer of power. Similarly, the legal obligations of India with respect to copyright were not altered by the creation of the Republic of India on January 26, 1950. Article 372 (1) of the Constitution of India provided for continuation of all laws in force immediately before India became a Republic. In view of this, my Government has instructed me to state its assurances that after August 15, 1947, as before that date, citizens of the United States have been and continue to be entitled to the benefits of copyright in India on substantially the same basis as citizens of India, including rights similar to those provided by section 1 (e) of the aforesaid title 17.

Accept, Excellency, the renewed assurances of my highest consideration.

G. L. MEHTA  
*Ambassador of India*

#### REMARKS AT LIBRARY CEREMONY

**Ambassador Allen**

MR. AMBASSADOR: I am pleased to be here today to participate in this brief but significant ceremony.

The exchange of notes which has taken place between India and the United States today is an act which should lastingly affect the cultural re-

lationship of our two countries. These assurances of reciprocal copyright protection to be afforded by each country to nationals of the other demonstrate a mutual respect and appreciation for literary and artistic works and a desire to continue the beneficial exchange of intellectual materials.

This exchange of notes constitutes an important step in the history of Indian-American relations, for this represents a major agreement on cultural affairs between the United States and India subsequent to the Indian Independence Act of 1947.

I am gratified, Mr. Ambassador, by the feelings of understanding and friendship which underlie and make possible the exchange of these mutual assurances.

#### Ambassador Mehta

YOUR EXCELLENCY, It is particularly appropriate that on this occasion, when we are acting to affirm the continued existence of copyright relations between our two countries, we should meet here in the Library of Congress, in this storehouse of wisdom and knowledge, learning and scholarship, where lie enshrined the thoughts of men from the earliest times down to the present day. This copyright arrangement we are entering into today will assuredly strengthen the basis for increasing cultural interchange between the United States and India. We believe that the right to knowledge is one of the foremost rights of men, and I know you in this great country also believe in it with equal fervor. And it is, therefore, with feelings of especial gratification that I perform my pleasant task today. May the cultural ties between our two countries grow stronger and stronger, day by day.

#### Mr. Mumford

The Library of Congress as the registering agency for copyright in the United States is in a sense a guardian of the individual rights of authors, composers, and other creators of literary and artistic works in this country. We are proud today to observe the extension of this guardianship to the rights of citizens of India, whose privilege and responsibility it is to provide the world with a knowledge of their great culture.

However, the occasion for our meeting here today seems to me to have even greater signifi-



cance. Although, as I have indicated, copyright can be thought of in the legal sense of protection of property rights, I believe that there is a larger motivation behind the action we are witnessing. I refer to the desire on the part of our two governments to strengthen cultural exchange between our two countries. The freedom of men and of the expression of their ideas can only survive in an atmosphere of mutual trust. Today we have reaffirmed this trust between India and the United States and the deep interest which our two countries have in each other's culture.

#### PROCLAMATION 3076<sup>1</sup>

WHEREAS section 9 of title 17 of the United States Code, entitled "Copyrights", as codified and enacted by the act of Congress approved July 30, 1947, 61 Stat. 652, provides in part that the copyright secured by such title shall extend to the work of an author or proprietor who is a citizen or subject of a foreign state or nation only:

"(a) When an alien author or proprietor shall be domiciled within the United States at the time of the first publication of his work; or

"(b) When the foreign state or nation of which such author or proprietor is a citizen or subject grants, either by treaty, convention, agreement, or law, to citizens of the United States the benefit of copyright on substantially the same basis as to its own citizens, or copyright protection, substantially equal to the protection secured to such foreign author under this title or by treaty; or when such foreign state or nation is a party to an international agreement which provides for reciprocity in the granting of copyright, by the terms of which agreement the United States may, at its pleasure, become a party thereto."; and

WHEREAS section 1 of the said title 17 provides in part as follows:

"Any person entitled thereto, upon complying with the provisions of this title, shall have the exclusive right:

"(e) To perform the copyrighted work publicly for profit if it be a musical composition; . . . *Provided*, That the provisions of this title, so far as they secure copyright controlling the parts of instruments serving to reproduce mechanically the musical work, shall include only compositions published and copyrighted after July 1, 1909, and shall not include the works of a foreign author or composer unless the foreign state or nation of which such author or composer is a citizen or subject grants, either by treaty, convention, agreement, or law, to citizens of the United States similar rights."; and

WHEREAS section 9 of the said title 17 further provides: "The existence of the reciprocal conditions aforesaid shall be determined by the President of the United States, by proclamation made from time to time, as the purposes of this title may require . . ."; and

WHEREAS satisfactory official assurances have been received that after August 15, 1947, as before that date, the laws of India have granted to citizens of the United States the benefit of copyright on substantially the same basis as to citizens of India, including rights similar to those provided by section 1(e) of the said title 17:

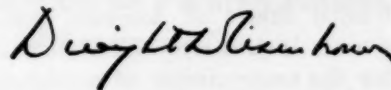
Now, THEREFORE, I, DWIGHT D. EISENHOWER, Presi-

dent of the United States of America, do declare and proclaim:

That after August 15, 1947, as before that date, the conditions specified in sections 9(b) and 1(e) of the said title 17 of the United States Code have, as between the United States and India, existed and been fulfilled, and that citizens of India, after August 15, 1947, as before that date, have been and are entitled to all the benefits of the said title 17, except those conferred by the provisions embodied in the second paragraph of section 9(b) thereof regarding the extension of time for fulfilling copyright conditions and formalities.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this twenty-first day of October in the year of our Lord nineteen hundred (SEAL) and fifty-four, and of the Independence of the United States of America the one hundred and seventy-ninth.



By the President:

HERBERT HOOVER, Jr.

Acting Secretary of State.

#### Agreement With West Germany on Publications Exchange

Press release 612 dated October 27

*The Government of the United States and the Government of the Federal Republic of Germany on October 27 concluded an agreement on the exchange of official publications between the two countries. Following are the texts of the notes exchanged which constitute the agreement.*

#### Secretary Dulles to Ambassador Krekeler

OCTOBER 27, 1954

EXCELLENCY: I have the honor to refer to the conversations which have taken place between representatives of the Government of the United States of America and representatives of the Government of the Federal Republic of Germany in regard to the exchange of official publications, and to inform you that the Government of the United States of America agrees that there shall be an exchange of official publications between the two Governments in accordance with the following provisions:

1. Each of the two Governments shall furnish

<sup>1</sup> 19 Fed. Reg. 6967.

regularly a copy of each of its official publications which is indicated in a selected list prepared by the other Government and communicated through diplomatic channels subsequent to the conclusion of the present agreement. The list of publications selected by each Government may be revised from time to time and may be extended, without the necessity of subsequent negotiations, to include any other official publication of the other Government not specified in the list, or publications of new offices which the other Government may establish in the future.

2. The official exchange office for the transmission of publications of the Government of the United States of America shall be the Smithsonian Institution. The official exchange office for the transmission of publications of the Government of the Federal Republic of Germany shall be the Federal Office for the International Exchange of Official Publications, Marburg/Lahn.

3. The publications shall be received on behalf of the United States of America by the Library of Congress and on behalf of the Federal Republic of Germany by the Federal Office for the International Exchange of Official Publications, Marburg/Lahn.

4. The present agreement does not obligate either of the two Governments to furnish blank forms, circulars which are not of a public character, or confidential publications.

5. Each of the two Governments shall bear all charges, including postal, rail and shipping costs, arising under the present agreement in connection with the transportation within its own country of the publications of both Governments and the shipment of its own publications to a port or other appropriate place reasonably convenient to the exchange office of the other Government.

6. The present agreement shall not be considered as a modification of any existing exchange agreement between a department or agency of one of the Governments and a department or agency of the other Government.

Upon receipt of a note from you indicating that the foregoing provisions are acceptable to the Government of the Federal Republic of Germany, the Government of the United States of America will consider that this note and your reply constitute an agreement between the two Governments on this subject, the agreement to enter into force on the date of your note in reply.

Accept, Excellency, the renewed assurances of my highest consideration.

His Excellency

Dr. HEINZ L. KREKELER,  
*Ambassador, Chargé d'Affaires of the  
Federal Republic of Germany.*

#### Ambassador Krekeler to Secretary Dulles

EXCELLENCY: I have the honor to refer to the conversations which have taken place between representatives of the Government of the Federal Republic of Germany and representatives of the Government of the United States of America in regard to the exchange of official publications, and to inform you that the Government of the Federal Republic of Germany agrees that there shall be an exchange of official publications between the two Governments in accordance with the following provisions:

[See U. S. note, Items 1 through 6.]

Upon receipt of a note from you indicating that the foregoing provisions are acceptable to the Government of the United States of America, the Government of the Federal Republic of Germany will consider that this note and your reply constitute an agreement between the two Governments on this subject, the agreement to enter into force on the date of your note in reply.

I avail myself of this opportunity to renew the assurances of my highest consideration.

WASHINGTON, October 27, 1954

His Excellency

THE SECRETARY OF STATE  
OF THE UNITED STATES

*Washington, D. C.*

#### U.S.-Libyan Base Rights Agreement

Press release 622 dated November 1

The U.S. Government has received formal notification from the Libyan Government that the Base Rights Agreement, which was signed by the two Governments in Benghazi on September 9, has now been approved by the Libyan Parliament and has entered into force on October 30, 1954, following its ratification by Royal Decree of King Idris I.

<sup>1</sup> BULLETIN of Sept. 20, 1954, p. 396.

The agreement sets forth the conditions for the utilization of U.S. military facilities in Libya, where the U.S. Air Force maintains a base at Wheelus Field near Tripoli. The agreement runs to the end of 1970 and is automatically renewable in the absence of 1 year's notification to the contrary by either party.

## Current Actions

### MULTILATERAL

#### Aviation

Convention on international civil aviation. Formulated at Chicago December 7, 1944. Entered into force April 4, 1947. TIAS 1591.

Adherence deposited: Viet-Nam, October 19, 1954.

#### Narcotic Drugs

Protocol bringing under international control drugs outside the scope of the convention of July 13, 1931, for limiting the manufacture and regulating the distribution of narcotic drugs (48 Stat. 1543), as amended by protocol signed at Lake Success December 11, 1946 (TIAS 1671 and 1859). Done at Paris November 19, 1948. Entered into force December 1, 1949. TIAS 2308.

Notification by Union of South Africa of extension to: Territory of South West Africa, October 5, 1954.

Protocol for limiting and regulating the cultivation of the poppy plant, the production of, international and wholesale trade in, and use of opium. Dated at New York June 23, 1953.<sup>1</sup>

Ratification deposited (with declaration): India, April 30, 1954.

#### North Atlantic Treaty

Agreement regarding the Headquarters of the Supreme Allied Commander Atlantic (SACLANT), and exchange of letters. Signed at Washington October 22, 1954. Entered into force October 22, 1954; operative retroactively from April 10, 1954.

#### Trade and Commerce

Second protocol of rectifications and modifications to texts of the schedules to the General Agreement on Tariffs and Trade (TIAS 1700). Opened for signature at Geneva November 8, 1952.<sup>1</sup>

Signature: Burma, October 4, 1954.

### BILATERAL

#### Egypt

Agreement relating to duty-free entry and defrayment of inland transportation charges on relief supplies and packages for Egypt. Effected by exchange of notes at Cairo October 30, 1954. Entered into force October 30, 1954.

#### Ethiopia

Agreement amending the public health joint fund agreement of April 29, 1953 (TIAS 2904). Signed at Addis Ababa June 11, 1954. Entered into force June 11, 1954.

#### Germany

Agreement amending the agreement of September 9, 1952, relating to the use of the bombing range at Cuxhaven

(Sandbank). Effected by exchange of notes at Bonn September 21 and 24 and October 15 and 18, 1954. Entered into force October 18, 1954.

#### Spain

Agreement amending the agreement of July 30, 1954, relating to the offshore procurement program in Spain. Effected by exchange of notes at Madrid October 26, 1954. Entered into force October 26, 1954.

## THE CONGRESS

### Current Legislation on Foreign Policy: 83d Congress, 2d Session

Review of the United Nations Charter. Hearing before a Subcommittee of the Senate Committee on Foreign Relations on Proposals To Amend or Otherwise Modify Existing International Peace and Security Organizations, Including the United Nations. Part 7, Minneapolis, Minn., July 10, 1954. 171 pp.

Independent Management, Export-Import Bank. Hearing before the House Committee on Banking and Currency on H. R. 9523, 9524, 9555, and S. 3589. July 14, 1954. 44 pp.

Increase of Duty-Free Allowance to American Tourists. Hearing before the House Committee on Ways and Means on H. R. 8352. July 21, 1954. 47 pp.

Military Construction, 1954. Hearings before the Subcommittee on Civil Functions and Military Construction of the House Committee on Appropriations. July 23, 1954. 42 pp.

Mutual Security Program. Report on the Mutual Security Program Covering Operations During the 6-month Period Ended June 30, 1954, with Letter of Transmittal from the President. H. Doc. 495, Aug. 20, 1954. 63 pp.

## THE DEPARTMENT

### Responsibilities Relating to Refugees and Displaced Persons

Department Circular 123 dated November 3

#### 1. Responsibilities for Functions Relating to Refugees, Displaced Persons, Migrants, Stateless Persons and Escapees

1.1 Within the Office of the Assistant Administrator for the Refugee Relief Program in the Bureau of Inspection, Security and Consular Affairs (SCA), the Adviser on Refugees and Displaced Persons has:

a. Responsibility for developing, coordinating and, in consultation with the concerned bureaus and offices of the Department, determining U.S. policies and positions on problems concerning refugees, displaced persons,

<sup>1</sup> Not in force.



migrants, stateless persons, and escapees, without regard to geographic origin or location, arising in the Intergovernmental Committee for European Migration and in regional organizations such as NATO, OEEC, and the Council of Europe, but excluding such policies and positions with respect to these matters arising in the United Nations, its organs, and the specialized agencies of the United Nations, and in the administration of U.S. immigration laws.

b. Responsibility for providing advice, information, and assistance to bureaus and offices of the Department, U.S. missions abroad, and other Federal agencies on these matters.

c. Responsibility for promoting U.S. policy objectives in this field through the Intergovernmental Committee for European Migration, for preparing and supporting requests for appropriations for U.S. contributions to the Committee, and for conducting liaison with the Committee.

d. Responsibility for providing basic policy guidance to the Foreign Operations Administration with respect to the escapee program.

1.2 The Office of International Economic and Social Affairs (OES) in the Bureau of International Organization Affairs (IO) has:

a. Action responsibility for preparing positions, with advice by the Adviser on Refugees and Displaced Persons, to be taken within the United Nations, its organs, including the Office of the United Nations High Commissioner for Refugees, and specialized agencies concerning refugees, displaced persons, migrants, stateless persons and escapees, and for promoting U.S. policy objectives in this field within these bodies.

b. Responsibility for liaison with the Adviser on Refugees and Displaced Persons with a view to securing coordination and avoiding duplication in the program of the Intergovernmental Committee for European Migration and related programs of the United Nations, its organs and specialized agencies.

1.3 The Office of International Administration (OIA) in the Bureau of International Organization Affairs has responsibility for:

a. Reviewing and advising on fiscal, personnel, and other administrative aspects of the Intergovernmental Committee for European Migration and the Office of the U.N. High Commissioner for Refugees.

b. Reviewing estimates for U.S. contributions to the Intergovernmental Committee for European Migration; formulating or coordinating the formulation of U.S. payment policy and making contributions to that Committee in accordance with such policy; and initiating the allocation of funds from the Foreign Operations Administration for contributions to the Committee.

## 2. Designation of Adviser on Refugees and Displaced Persons

Mr. George L. Warren continues as the Adviser on Refugees and Displaced Persons.

## PUBLICATIONS

### Recent Releases

*For sale by the Superintendent of Documents, U. S. Government Printing Office, Washington 25, D. C. Address requests direct to the Superintendent of Documents, except in the case of free publications, which may be obtained from the Department of State.*

**The Department of State Biographic Register, May 1, 1954.** Pub. 5553. Department and Foreign Service Series 37. 549 pp. \$1.75.

This publication contains biographies of certain personnel in the Department of State, U. S. Foreign Service, U. S. Information Agency, and Foreign Operations Administration.

**The Korean Problem at the Geneva Conference, April 24-June 15, 1954.** Pub. 5609. International Organization and Conference Series II (Far Eastern), 4. 193 pp. 00¢.

A report, with list of participants, schedule of meetings, and documents, on discussions of Korea at the Geneva Conference.

**List of International Conferences and Meetings, October 1, 1954.** Pub. 5608. 13 pp. 15¢.

This list includes annotations regarding the background, agenda, and expected participation in certain conferences scheduled to convene during the last quarter of 1954.

**A Report of the Fourth National Conference of the U. S. National Commission for UNESCO.** Pub. 5598. International Organization and Conference Series IV (UNESCO), 23. 75 pp. Limited distribution.

A report of the Commission and its affiliated organizations, as authorized by law, and its discussion of "America's Stake in International Cooperation," at the general conference held in Minnesota in 1953.

**Telecommunications, New International Frequency List for Various Services in Bands Between 14 kc/s and 21 500 kc/s.** TIAS 2753. Pub. 5356. 362 pp. \$1.

**Agreement and Final Protocol between the United States and Other Governments—Signed at Geneva Dec. 3, 1951.** Entered into force Mar. 1, 1952.

**Passport Visa Fees.** TIAS 2761. Pub. 5336. 6 pp. 5¢.

**Agreement between the United States and Pakistan, revising agreement of Oct. 10 and 18, 1949. Exchanges of notes—Dated at Karachi Aug. 16, Oct. 11, Nov. 19, Dec. 16 and 29, 1952, Mar. 19, and Apr. 8, 1953. Entered into force Apr. 8, 1953.**

**Fisheries Mission to El Salvador.** TIAS 2763. Pub. 5348. 3 pp. 5¢.

**Agreement between the United States and El Salvador, extending agreement of July 19, 1951, as extended. Exchange of notes—Signed at San Salvador Aug. 18, and 28, 1953. Entered into force Aug. 28, 1953, operative retroactively Aug. 19, 1953.**

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Releases may be obtained from the News Division, Department of State, Washington 25, D. C.

Press releases issued prior to November 8 which appear in this issue of the BULLETIN are Nos. 600 of October 21, 612 of October 27, 613 of October 28, 622 of November 1, 624 of November 3, and 625 of November 4.

No.	Date	Subject
†631	11/8	Protest to U.S.S.R. in plane case.
*632	11/9	Patterson to attend São Paulo fair.
*633	11/10	Trade talks with Cuba.
*634	11/9	Dulles: press conference transcript.
†635	11/10	Delegation to ILO meeting.
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640	11/12	Tariff negotiations involving Japan.
*641	11/12	Educational exchange.
†642	11/12	Shipping in Antarctica.
643	11/13	Surplus commodities for Japan.

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the  
Department  
of  
State

*London and Paris Agreements  
September–October 1954*

Publication 5659

45 cents

Secretary of State John Foster Dulles in his report of October 25, 1954, described the situation on European unity as of the beginning of September as follows: "At the beginning of September, things looked pretty dark. The plan for the European Defense Community had collapsed, and it looked as though the whole North Atlantic Treaty structure, its whole system, might be undermined and even swept away by political indecisions and uncertainties." Then came the Nine-Power Conference at London, September 28 to October 3, 1954, and the Conferences at Paris, October 20 to October 23, 1954.

The historic achievement of these Conferences is recorded in this 128-page publication, which includes the various agreed documents, together with the transcript of the report made by Secretary Dulles to President Eisenhower, the Cabinet, and the American people on October 25, 1954.

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